

# **Platte River Endangered Species Recovery Program**

## **Cultural Resources Appendix**

to the

## **Platte River Final Programmatic Environmental Impact Statement**

**January 31, 2006**

**U.S. Department of the Interior  
Bureau of Reclamation  
Denver, Colorado**

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## INTRODUCTION

### **The Program and the Final Environmental Impact Statement**

The U.S. Department of the Interior (Interior) has prepared a final environmental impact statement (FEIS) to assess the environmental consequences of a proposed Recovery Implementation Program (Program) to benefit four threatened and endangered species and their habitat in and along the Platte River in Nebraska. This cultural resources appendix to the FEIS documents information and supports conclusions in the FEIS “Cultural Resources” section.

In 1997, the States of Nebraska, Wyoming, and Colorado and Interior signed a *Cooperative Agreement for Platte River Research and Other Efforts Relating to Endangered Species Habitats Along the Central Platte River, Nebraska* (Cooperative Agreement).<sup>1</sup> In this agreement, the signatories agreed to pursue a Basin-wide, cooperative effort to improve and maintain habitat for four threatened and endangered species using the Platte River in Nebraska.

The Cooperative Agreement established the general, long-term goal of improving and maintaining the target species-associated habitats. The primary goals established for the first, 13-year increment of a Program analyzed in the FEIS, and that are the focus of the action alternatives include:

- ▶ Protecting and restoring 10,000 acres of habitat in the Central Platte area.
- ▶ Improving achievement of U.S. Fish and Wildlife Service (Service) river flow targets in the Habitat Area of the Central Platte River by 130,000 to 150,000 acre-feet per year by changing the amounts and timing of storage and releases in upstream reservoirs on the North and South Platte Rivers.

The Program area has experienced many significant historical and cultural events important to different peoples, often with physical evidence or markers that remain today. The action alternatives may impact culturally significant resources either directly through land restoration activities, or through modification of reservoir operations and river releases which might expose previously undisturbed cultural resources.

### **Area Cultural Resources Background**

The Program area has experienced many significant historical and cultural events important to different people, often with physical evidence or markers that remain today. The action

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<sup>1</sup> Available from the Platte River EIS Office, Denver, Colorado, and at <[www.platteriver.org](http://www.platteriver.org)>.

alternatives may impact culturally significant resources, either directly through land restoration activities, or through modification of reservoir operations and river releases, which might expose previously undisturbed cultural resources.

## **CULTURAL RESOURCES LAWS AND REGULATIONS**

Federal law requires Federal agencies to consider the effects of their undertakings on cultural resources. Cultural resources include any building, site, district, structure, or object significant in history, architecture, archeology, culture or science.

### **National Historic Preservation Act (NHPA)**

The National Historic Preservation Act (NHPA) of 1966 (P.L. 89-665), as amended, is the basic Federal law governing preservation of cultural resources of national, regional, state and local significance. Specifically, Section 106 of the NHPA requires each Federal agency to consider the effect of its actions on “any district, site, building, structure or object that is included in or eligible for inclusion in the National Register.” Eligible historic properties may also include traditional cultural properties which are generally defined as specific locations that are significant due to their association with cultural practices or beliefs of a living community that are a) rooted in the community’s history, and b) important in maintaining the continuing cultural identity of the community (*National Register Bulletin 38: Guidelines for Evaluating and Documenting Cultural Properties*, 1998) (Parker and King, 1998). Procedures for meeting NHPA Section 106 requirements are defined in Federal regulations 36CFR800. Procedures for meeting the NHPA, Section 106 requirements are defined in Federal regulations, 36 Code of Federal Regulations (CFR) Part 800.

Section 106 of the NHPA also requires that Federal agencies consult with numerous parties when identifying historic properties, determining their National Register eligibility, and considering how any proposed adverse effects to historic properties can be avoided or mitigated. Consulting parties include the appropriate State Historic Preservation Officer (SHPO) or the Tribal Historic Preservation Officer (THPO) (if the undertaking takes place on the Tribal lands of a Tribe/Tribal Nation which has a THPO), the Advisory Council on Historic Preservation, local governments, the public, and Indian Tribes that “might attach religious and cultural significance to historic properties in the area of potential effect” (36CFR 800.2(4)(f)(2)).

### **Sacred Sites**

Executive Order (EO) 13007 of May 24, 1996, *Indian Sacred Sites*, directs each Federal agency to accommodate access to, and ceremonial use of, American Indian (Indian) sacred sites on Federal lands (including leased lands and rights-of-way) by Indian religious practitioners, and to

avoid adversely affecting the physical integrity of sacred sites. Sacred sites are defined in the EO as "...any specific, discrete, narrowly delineated location on Federal land that is identified by an Indian Tribe, or Indian individual determined to be an appropriately authoritative representative...." Consultation with Tribes is to occur in compliance with the Executive Memorandum of April 29, 1994, *Government-to-Government Relations with Native American Tribal Governments*. Bureau of Reclamation (Reclamation) *Guidance for Implementing Indian Sacred Sites E.O. 13007*, states that, at a minimum, Reclamation needs to be informed that a sacred site is located on Reclamation lands, or that a site the Tribe(s)/Tribal Nation(s) believes to be sacred is in an area that could be affected by proposed Reclamation actions. Additional policies include ECM 97-2 – *Departmental for Indian Trust Resources and Indian Sacred Sites on Federal Land* and Reclamation's *Protocol Guidelines: Consulting with Indian Tribal Governments* February 3, 1998 (Revised 2001).

## Consultation

In compliance with NHPA, EO 13007 and Reclamation's *Protocol Guidelines: Consulting with Indian Tribal Governments*, a general consultation process was initiated with Tribes/Tribal Nations for the entire programmatic area. On August 14, 2000, information about the Program and requests for cultural resource responses were sent to 41 American Indian Tribes and Tribal Nations and the three State Historic Preservation Offices (SHPOs) (attachments CR-1 and CR-2).<sup>2</sup> Two responses were received. A letter from the Pawnee Nation, dated August 30, 2000, stated that while it had no objections to the Program, it acknowledged that there might be burial sites in the area. In a letter dated December 4, 2000, the Rosebud Sioux Tribe encouraged EIS preparers to provide any cultural resources survey work that may be completed for their review and comment. On October 10, 2003, a letter was sent to the Pawnee Nation and Rosebud Sioux Tribe transmitting a working draft version of the DEIS with highlighted cultural resources findings, and comments were requested (attachment CR-3). No comments were returned.

A January 22, 2004, letter was sent to the 41 American Indian Tribes and Tribal Nations, transmitting the DEIS with a summary of cultural resource findings and a request for any comments (attachment CR-4). On March 13, 2004, a letter was sent to the Tribes, notifying them of the Federal Register notice and that the comment period on the DEIS was extended (attachment CR-5). The Southern Ute Indian Tribe responded in several letters with comments that it did not believe there were any known impacts to the areas specifically tied to the Tribe. However, if, during implementation there is an inadvertent discovery of artifacts or remains, the Tribe would like to be notified. The Crow Tribe responded in an August 5, 2004, letter in which it requested consultation on all matters in its 1851 Treaty area.

Concerning cultural resources survey work, due to the programmatic nature of this FEIS, a

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<sup>2</sup> A complete list of Tribes/Tribal Nations contacted, please see the lists in letters in the attachments to this appendix.

definite Area of Potential Effect cannot yet be completely delineated, which means that, although some class I survey work was completed, the majority of the survey work will be completed later. The SHPOs were informed about the Program in a year 2000 letter and were consulted during the class I survey process. On January 22, 2004, the DEIS was transmitted to the SHPOs for comment (attachment CR-6). The Colorado SHPO responded in a February 10, 2004, letter, stating that her office concurs that class III surveys would be required and that Section 106 and National Environmental Policy Act (NEPA) processes should be conducted concurrently. Since this FEIS is programmatic, not all site-specific impacts can be foreseen by the time the programmatic Record of Decision (ROD) is signed. For this reason, programmatic agreements among the government agencies, SHPOs, and interested Tribes will be developed to guide cultural resource consultation and mitigations when Program actions appear likely to cause impacts. The programmatic agreements will cover completion of the Program's future, site-specific NEPA compliance, and implementation.

Other Federal legislation further promotes and requires the protection of historic and archaeological resources by the Federal Government. Among these laws are the Archaeological Resources Protection Act of 1979 and the Native American Graves Protection and Repatriation Act of 1990 (NAGPRA).

## STUDY AREA

The Program study area is the Platte River Basin (Basin), shown below in figure CR-1, along with its sub-basins. For purposes of this analysis, “sub-basins” refers to the Wyoming State portion of the North Platte Basin, the Colorado State portion of the South Platte Basin, and the Nebraska portion of the Central Platte Basin. The area of effect focuses on major water features in the North and South Platte Basins, and water features and land areas in and near the Central Platte River in the Central Platte Basin.

### Platte River Basin

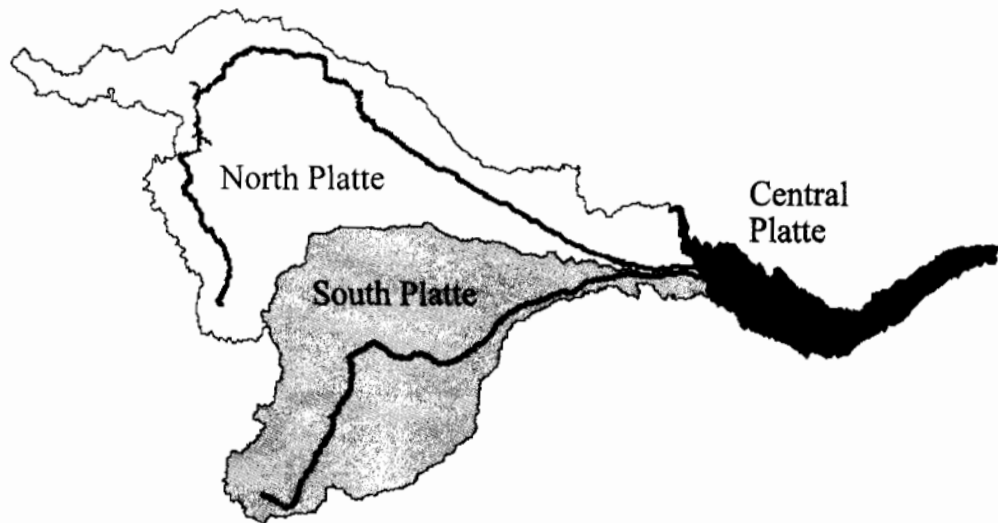


Figure CR-1. Platte River Basin Program study area divided into the North Platte, South Platte, and Central Platte River sub-basins

## SUMMARY OF IMPACTS

Compared with the Present Condition baseline, the action alternatives could result in modifications to a historic property in the North Platte Basin, to unspecified cultural resources at one project area reservoir, to unspecified cultural resources at recharge sites in the South Platte Basin, and to cultural resource sites in the Central Platte Habitat Area during habitat restoration.

## IMPACT INDICATORS

- **Reservoir elevations:** Changes in reservoir elevations that would expose or erode new lands.
- **Water level fluctuations:** Fluctuations in water levels and releases that are wider or more rapid than the Present Condition ranges.
- **Ground disturbances:** Activities that disturb ground potentially containing cultural resources.

## METHODOLOGY

The analysis was to determine the types of impacts that could occur as a result of proposed physical and operational modifications under the proposed Program. The approach used included an assessment of existing laws and mandates, and a review of cultural resources surveys conducted in the project area.

### **Class I, II and III Surveys**

To adequately assess impacts to cultural resources and, hence, fully comply with the NHPA, class I, II, and/or III survey(s), or cultural resource inventories, are specifically required by the Reclamation Manual, Directives and Standards LND P01 and LND 02-01. A class I survey is primarily a literature and archival search to identify known cultural resources in an area and to assess the need for additional survey information. Class II surveys are based on a sampling of areas to generally indicate the number of sites in an area; for this reason, they are often considered inefficient and are rarely initiated. Class III surveys, usually conducted in lieu of class II surveys, consist of intensive, on-the-ground examinations of all areas to be affected to locate all cultural resources. Due to the programmatic nature of this FEIS, class III surveys were not conducted, but they would be required in conjunction with more detailed planning of site-specific activities.



Some early components of a class I survey were initiated for the North Platte reservoir using archival searches, and the preliminary results are discussed under each of the reservoirs in the “Present Conditions” section. Consultation by Reclamation with the applicable SHPOs and American Indian Tribes/Tribal Nations will continue throughout the NEPA process and during implementation as needed. Once more site-specific and detailed information exists for the Program and accompanying, site-specific NEPA compliance, class III surveys would be required for assessing potential impacts to existing cultural resources.

It is expected that a programmatic agreement between the government agencies, the SHPOs, and, possibly, the Tribes will be developed to guide consultation on cultural resources analysis during the Program. This agreement would cover assessment of potential impacts, survey work, and any needed mitigation, once site-specific Program actions are proposed that have the potential to affect cultural resources.

## **PLATTE RIVER BASIN CULTURAL RESOURCES BACKGROUND and HISTORY**

The following is a summary of the historic occupation of the Platte River Basin that includes the range and types of cultural resources that may exist in the affected environment. Prehistoric descriptions and sites have been reviewed, which is a component of an initial Class I Survey. Current historic sites are included in attachment CR-2 for each states’ sites in the National Register of Historic Places (NRHP).

### **Native American Tribes in the Platte River Basin**

#### **Pre-EuroAmerican Contact**

The area has been important to many Native American people throughout history. Historic records and ethnographic sources illustrate the presence of many different people in the area. Most of the prehistoric information and site locations for the Platte Valley were researched. The Platte River Valley, because of its ready water supply and excellent grass, was used by the Crow, Omaha, Ponca, Pawnee, Arikara, and other Tribes for hunting (Hughes). Ancestors of the Plains Apaches occupied the High Plains on the headwaters of the Niobrara and North and South Platte Rivers when the first Non-Indians appeared (Hughes p. 63). Before about 1800, the Comanche ranged from the North Platte River to central Mexico. The Kiowa had been on the North and South Platte until after about 1800 when they began to drift further south, returning only occasionally to the North Platte River Valley.

The Pawnee migrated onto the Prairies from the southwest sometime between about 1200 and 1300. By the middle of 16th century, Pawnee territory extended from the Niobrara River in north central Nebraska to the Arkansas River in Kansas, and from the foothills of the Rockies to the

Missouri River (Hughes). Regardless of the antiquity of their presence, Pawnee use of and occasional presence in the area continued until the late 19th century when the entire area was divided among the extant Tribes by treaty, removal, and cession of lands (Hughes p. 63).

### **EuroAmerican Expansion**

With EuroAmerican expansion into North America and the introduction of horses in the late 17<sup>th</sup> century, life of the indigenous occupants of the country began to change. The Comanche left the Great Basin and moved out onto the Great Plains, and quickly dominated the area and pushed the Apaches south. The Comanche were followed by the Kiowa, the Cheyenne and Suhtai, and the Sioux. The Kiowas moved south and west, displacing the Comanches southward who in turn pushed the Apaches still further south (Hughes p. 64). By 1823 some of the Arikara were forced to abandon their villages on the Missouri River and join with the Pawnee along the Platte, Republican, and Loup Rivers. The Arikara apparently roamed the Platte Valley from the vicinity of the forks of the Platte to the headwaters of the North Platte for some unspecified time after 1823 and before 1834 when the Ash Hollow battle forced them out of the area (Schneider pp 4, 18).

Also during the late 18<sup>th</sup> century, the Cheyenne and Arapaho entered the upper North Platte River Valley, and then moved south of the North Platte (Schneider pp 4, 18). The Arapaho and Cheyenne together occupied the areas south of the North Platte river, which further displaced the Kiowa, Apache, and Comanche. The Cheyenne and Arapaho were acknowledged to possess the land between the Arkansas River and the North Platte River in the treaties of Fort Laramie in 1851 and 1868. (Hughes P. 65)

### **Early Platte River Basin Explorers**

The first group of non-native people to travel along the Platte River were French explorers en route to Santa Fe to establish closer trade relations between the French and Spanish. The next wave of explorers included various exploration and fur trapping parties, including the well-known Long expedition of 1819 to 1820. By the early 1830s large quantities of furs were being transported down the Platte. As westward travel and expansion grew, a thoroughfare developed along the Platte, referred to as the Platte River Road, and increasingly accommodated many historical events. Pioneer movement made the Platte River Road a critical component of the Oregon Trail to Oregon, the Mormon Trail to Utah, and the Overland Trail movement.

### **Early Platte Basin Settlement**

As a result of westward expansion, settlement increased along the Platte River, and a series of forts were built to protect the new settlements. By 1835, settlement was beginning to push up the

Platte Valley, primarily along the river, because of the easy access to timber and water (Hughes). The opening of the Oregon Trail in 1840, coupled with the establishment of the Mormon Trail in 1847, the California Gold Rush in 1849, the Colorado Gold Rush in 1858, and the railroad crossing the nation in the 1860s caused tensions with indigenous people to reach the breaking point (Cassells. P. 185). Early settlement in Wyoming was largely restricted to the North Platte and its tributaries. Because of its favored location with respect to the traffic on the overland trails, the area that became Wyoming was the scene of small irrigation projects from an early date, around the late 1840s and early 1850s (Mckinley, p. 89).

Settlement brought changes in travelers along the Platte River Road that included the Pony Express, the first trans-continental telegraph line, and the U.S. Army's route to the frontier forts. The Platte River Road and its landmarks became centers of the Indian Wars of the 19<sup>th</sup> century. Fort Laramie, along the North Platte River, was the site of the first treaties negotiated and signed with the Plains Indians. The discovery of gold and development of the mining industry in Colorado spurred more travel and settlement along the Platte during the 1850s.

### **Beginning of the Modern Era**

Completion of the Union Pacific railroad in 1869 opened a new epoch for the Platte Valley. To assist in the sale of the large amount of land granted to the railroad by the Federal Government, the Union Pacific spent many thousands of dollars advertising the Platte Valley to potential settlers, which largely precipitated rapid growth of cities and towns. The railroad made it possible to market Platte Valley hay. Disappearance of the buffalo did much to open the way for the range cattle industry that came into almost immediate importance in the Platte Valley with completion of the railroad. Water, more than any other factor, determined the number, location and arrangement of cattle ranches. The beginnings of irrigation in Nebraska were closely associated with the movement of people over the Oregon Trail and the establishment of military posts to facilitate that migration. The existence of large areas of groundwater within the valley that can usually be raised by wells from 10 to 50 feet in depth made it profitable to irrigate large areas of land.

## **PRESENT CONDITIONS**

The Program area, shown in figure CR-1, includes the North Platte River Basin in Wyoming, the South Platte River Basin in Colorado, and the Central Platte River Basin or Valley in Nebraska. Fluctuating water levels are an important consideration for impacts to cultural resources. All three rivers have historically been subject to periodic floods; however, the severity has been reduced substantially by the construction of numerous reservoirs. The Program area has experienced many significant historical and cultural events important to different peoples, often with physical evidence or markers that remain today.

## **Reservoir and River Levels**

### **North Platte Basin (NPB) - Pathfinder Reservoir**

Pathfinder Dam, completed in 1909, is listed on the NRHP of Historic Places (NRHP). Approximately 1,602 acres of land at Pathfinder Reservoir have been subjected to a class III survey. Seven (7) sites, including the dam itself, have been determined eligible for the NRHP. Fifteen (15) sites have been determined ineligible for the NRHP, and eleven (11) sites have not been evaluated. Note that of the above NRHP eligible sites, five are actually contributing elements of the Pathfinder Historic District (48NA211), but are included here as discrete sites. Likewise, one of the above NRHP ineligible sites is a non-contributing element of 48NA211. The historic maximum elevation at this reservoir is 5,855 feet, and the historic minimum elevation is 5,690 feet. Minimum and maximum reservoir elevations at Pathfinder historically range most frequently between 5,755 and 5,847 feet.

### **NPB - Alcova Reservoir**

Approximately 3,372 acres have been subjected to a Class III survey at Alcova Reservoir, with two NRHP eligible sites, and twelve NRHP ineligible sites recorded. The historic maximum elevation at this reservoir is 5,500 feet and the historic minimum elevation is 5,409 feet.

### **NPB - Glendo Reservoir**

About 7,745 acres have been subjected to Class III survey at Glendo reservoir. A total of 89 cultural resource sites have been recorded; 39 of those sites have been determined eligible for the NRHP or are listed on the NRHP, 38 sites have been determined ineligible for the NRHP, and no determination of eligibility has been made regarding the remaining 12 sites. The historic maximum elevation at this reservoir is 4,651 feet, and the historic minimum elevation is 4,548 feet, both of which have occurred just once. Minimum and maximum reservoir elevations at Glendo historically range most frequently between 4,570 and 4,640 feet.

### **NPB - Guernsey Reservoir**

About 423 acres have been subjected to Class III survey at Guernsey Reservoir. A total of 34 cultural resource sites have been recorded; 16 of those sites have been determined eligible for the NRHP or are listed on the NRHP, 12 sites have been determined ineligible for the NRHP; and no determination of eligibility has been made regarding the remaining 6 sites. The historic maximum elevation at this reservoir is 4,420 feet, which has occurred just once, and the historic

minimum elevation is 4,362 feet. Minimum and maximum reservoir elevations at Guernsey historically range most frequently between 4,380 and 4,420 feet.

### **Central Platte Basin (CPB) - Lake McConaughy**

At Lake McConaughy, the historic minimum water surface elevation is 3,201 feet, which has occurred just once in the period of hydrologic record used for the FEIS analysis, and the historic maximum elevation is 3,270 feet. Only a small percentage of the shoreline around the reservoir has been surveyed and a number of archaeological sites were located. The dam has been determined eligible to the NRHP as a contributing feature to the Kingsley Dam Project.

## **Land Disturbance Activities**

### **CPB - Central Platte Offstream Regulatory Storage Reservoir (CNPPID Re-regulating Reservoir)**

The Water Action Plan identified six possible sites for offstream storage in the Brady to Lexington reach of the Platte. A small reservoir located near the Johnson-2 Return (Johnson-2 Forebay) is assumed to be the one that would be used to store the excess flows from CNPPD's canal and released back at times advantageous to the species. However, other sites have been considered during development of the Water Action Plan and might be substituted for this feature. Therefore, this analysis examined the potential for disturbance of cultural resources in an area approximately 6 miles wide centered on the Platte River and extending from approximately Maxwell in Lincoln County to Central City in Merrick County, Nebraska. A partial, preliminary class I survey was conducted for this area, which is discussed in more detail in the following section, "Land Acquisition in the Habitat Area."

### **CPB - Land Acquisition in the Habitat Area**

A partial, preliminary class I survey was conducted using literature and archival searches from the Nebraska SHPO on January 16, 2003 for Central Platte Habitat Area lands in and along the Platte River in central Nebraska. The survey covered an area approximately 6 miles wide, centered on the Platte River, and extending from approximately Maxwell in Lincoln County to Central City in Merrick County, Nebraska (this covers both the area of potential habitat lands and potential offstream regulatory storage sites, above). The file search identified 106 historic properties and 67 archeological surveys within this locale. This search also identified that less than 1 percent of the total area searched has been the subject of other, recent class III surveys.

## **CPB - Groundwater Management in the Central Platte Groundwater Mound**

Additional groundwater management would be implemented in the high groundwater area south of the Central Platte River. Management activities would include:

- Pumping water from the mound into creeks that drain back into the Platte.
- Paying willing farmers to dry-land farm every other year and/or to use groundwater instead of their Lake McConaughy storage.
- Diverting excess water from CNPPID's canals in the fall and winter and recharging the groundwater mound, then pumping an equivalent amount from the mound.

Potential ground-disturbing activities include development of recharge pits or wells.

## **CPB - Riverside Drains**

Under this element, the Program would install agricultural drains in the Central Platte region under farm fields of landowners who wish to participate. This element, part only of the Water Emphasis Alternative, would include roughly 100 miles of drains on lands that are currently cultivated and with a typical spring water table less than 5 feet below the surface.

## **South Platte Basin - Tamarack I and III**

The Tamarack project would likely be located along the south side of the South Platte River in the Tamarack Ranch State Wildlife Area (SWA) and the Pony Express SWA, which is 40 miles upstream from the Colorado/Nebraska state line. Tamarack would involve diverting surface water directly from the South Platte River during times of excess via canals or wells located adjacent to the river to small storage or recharge ponds and to recharge groundwater at various distances from the river. When water is needed to meet target flows, it would be pumped from the ponds and ground and conveyed back to the river.

## **ENVIRONMENTAL CONSEQUENCES - IMPACTS ANALYSIS**

Fluctuations in reservoir water levels and releases that are wider than the Present Condition ranges or that are more rapid can impact archaeological materials through erosion and may expose cultural resource sites to looting, vandalism, and erosion. Proposed actions also involve habitat restoration that will result in ground-disturbing activities that may affect surface or underground cultural resources.

Because of the programmatic nature of this FEIS, the discussion of impacts to cultural resources is general in nature. A more detailed, site-specific evaluation of effects will be required in the future in conjunction with individual Federal actions that also require compliance with the NHPA. This will include further consultation with affected Indian Tribes/Tribal Nations concerning cultural resources, including traditional cultural properties. Before action is taken, a class III survey should be completed for all lands that would be disturbed during construction, and NHPA Section 106 consultations would occur to identify the most appropriate actions, if necessary. For this programmatic FEIS, as part of Section 106 compliance, programmatic agreements among government agencies, SHPOs, and interested Tribes will be developed to guide cultural resource consultation and mitigation when Program actions appear likely to cause impacts. This agreement would cover assessment of potential impacts, survey work, and any needed mitigation, once site-specific Program actions are proposed that have the potential to affect cultural resources.

The alternatives were evaluated by the indicators cited in the “Methodology” section and generally fall into two broad categories— effects of changes in reservoir elevations, and physical modifications to existing lands or structures. Changes in reservoir elevations could affect cultural resources that are located within the reservoir pool, at its margins, or downstream.

## **Effects of Changes in Reservoir Elevations**

Most impacts do not vary by alternative; and the variation is relatively small for the ones that do. For this reason, impacts are generally discussed for all action alternatives, and exceptions are noted. For a complete display of impacts by alternatives (and the Present Condition), see table CR-1 in the “Summary” section of this appendix.

### **North Platte River Basin (NPB)**

Reservoir minimum and maximum elevation changes were projected for the alternatives using the NPRWUMEIS hydrology model which analyzed changes based on the 48-year period-of-hydrologic record. The alternatives’ minimum and maximum elevations were compared to Present Condition lows and highs for the period 1947 to 1994 to determine whether lands that had not been inundated would be, or if lands that had not been exposed would be uncovered, potentially exposing cultural resources.

### **NPB - Pathfinder Reservoir**

All of the action alternatives include (except the Full Water Leasing Alternative) a Pathfinder Modification Project which involves raising the spillway height at Pathfinder Reservoir to increase reservoir capacity by about 54 kaf to recapture storage space lost to sediment. There is expected to be no change in the reservoir's available maximum or minimum elevation as a consequence of the Pathfinder Modification and other Program actions for any alternatives. Although the Pathfinder Modification is designed to restore the original storage capacity of the reservoir, the maximum water surface during a flood event will not increase because the raised spillway crest would consist of a more efficient ogee crest weir, which provides improved discharge capabilities at higher elevations. Both the proposed ogee crested spillway and the existing spillway provide a discharge capacity of nearly 119,000 cubic feet per second (cfs) at the top of the Pathfinder Dike (elevation 5868.1 feet). Therefore, neither the maximum potential land inundated, nor the time that the reservoir is at the maximum water elevation, is expected to increase.

### **NPB - Alcova Reservoir**

Reservoir levels would not change beyond Present Condition elevations.

### **NPB - Seminole Reservoir**

Under the alternatives, reservoir levels would not exceed the Present Condition maximum elevation. However, under all of the alternatives except the Full Water Leasing Alternative, the reservoir would be drawn down below the Present Condition minimum by about 26 feet, thereby exposing lands that are normally inundated. The frequency of this occurrence would be rare since it would happen only during a period of extended low inflows.

Initial indications show that 530 acres have previously been subjected to Class III surveys. A total of 33 cultural resource sites have been recorded; 13 of those sites have been determined eligible for the NRHP or are listed on the NRHP, 10 sites have been determined ineligible for the NRHP, and no determination of eligibility has been made regarding the remaining 10 sites. However if sites do exist, it is unknown if any would be visible at the lower reservoir elevations, or if they would be buried under silt deposited since the construction of the reservoirs. Before changing reservoir operations, Reclamation would conduct consultations under Section 106 of the NHPA to determine appropriate actions to be taken in the event that the reservoir does fall below historic minimum levels. The actions identified through consultation, to take if reservoir elevations drop below Present Condition levels, may include for example:



- An initial reconnaissance of exposed areas to determine if cultural resource inventory would be worthwhile (that is, determine if original landforms are intact and not buried under recently deposited silt),
- Cultural resource inventory of some or all of the exposed areas if inventory is determined to be worthwhile, and
- If cultural resources are identified in the exposed areas, actions to prevent looting or vandalism such as monitoring, patrols, signs, public service announcements, or other public education efforts should be taken.

### **NPB - Glendo Reservoir**

Hydrologic analysis of the alternatives indicate that, under all of the alternatives, maximum elevations would be higher than the Present Condition maximum by between 2.5 and 8.2 feet, depending on the alternative. The increase in reservoir elevation associated with these alternatives is within the authorized operating range of the Glendo Flood Pool.

### **NPB - Guernsey Reservoir**

Reservoir levels would not change beyond Present Condition elevations.

### **Central Platte Basin - Lake McConaughy**

The reservoir would be drawn down by as much as 7 feet below the Present Condition minimum, under all alternatives (except for the Full Water Leasing Alternative), but only under very severe drought conditions. If cultural resources are identified in the exposed areas, actions to prevent looting or vandalism such as monitoring, patrols, signs, public service announcements, or other public education efforts should be taken.

### **South Platte Basin - Tamarack I and III**

All of the action Alternatives would include physical modifications associated with the Tamarack Project, Phases I and III, including construction of recharge ponds, pipelines, and possibly some canals. Some recharge ponds are already in place, but more would be added. Under the enlarged Tamarack Project, Phase III, an even greater number of ponds, pipelines and pumps would be installed for the Governance Committee and Water Emphasis Alternatives. These ground-disturbing activities all would have the potential to impact surface and sub-surface archaeological sites. The amount of survey work necessary would be determined in the NHPA Section 106 consultation process with the Colorado SHPO during the site-specific evaluation of the sites.

## **Effects of Construction and Habitat Restoration**

### **North Platte Basin - Pathfinder Modification Project**

The Governance Committee, Wet Meadow, and Water Emphasis Alternatives include the Pathfinder Modification Project consisting of the Pathfinder Environmental Account and a Wyoming Municipal Account, to be created by raising the Pathfinder spillway height to restore the original capacity of the reservoir. This action would raise the spillway roughly 2 feet by constructing a low weir on top of the bedrock spillway. However, the spillway is apart from and not connected to historic dam in any way. Therefore, this action is not expected to alter the appearance or function of the historic dam in any way.

### **Central Platte Basin (CPB) - Central Platte Offstream Regulatory Storage Reservoir (CNPPID Re-regulating Reservoir)**

Construction of a reservoir would involve extensive ground disturbance with the Governance Committee Alternative. The likelihood of potential adverse impacts to any existing cultural resources would be high. Less than 1 percent of the region where a reservoir would likely be located (in the Brady to Lexington reach of the river) has been the subject of a class III survey. The amount of survey work necessary would be determined during future site-specific NEPA compliance

### **CPB - Habitat Restoration in the Central Habitat Area**

Active management of acquired lands for target species could include physical modifications that have the potential to affect cultural resources. Activities to improve habitat that involve ground disturbance would also have the potential to impact cultural resources.

A preliminary class I survey was included in the analysis for this area. The research was conducted using literature and archival searches from the Nebraska SHPO on January 16, 2003 for Central Platte Habitat Area lands. The search identified that less than 1 percent of the total area searched has been the subject of other, recent Class III surveys. Consultation with the applicable SHPOs will continue as the NEPA process progresses. Once more site-specific and detailed information exists for the Program, Class III surveys would be required for assessing potential impacts to existing cultural resources.

## **CPB - Groundwater Management in the Central Platte Groundwater Mound**

Ground-disturbing activities associated with this portion of the Governance Committee and Water Emphasis Alternatives include the drilling of new wells and the installation of above-ground and/or below-ground piping to carry groundwater to farm irrigation systems. The wells would be about 50 feet deep and associated well pads would disturb approximately 100 square feet of ground. Wells would be drilled on ½-mile grids in existing farm fields that have been previously plowed. Groundwater recharge may entail the digging of pits or installation of subsurface pipe drains.

## **CPB - Riverside Drains**

The installation of riverside drains under farm fields in the primary and secondary flood plains of the Central Platte River and some of its tributaries would involve ground disturbance in an approximately 100-foot wide corridor under the Water Emphasis Alternative. Twelve-inch piping would be laid about 8 feet underground in a trench that is about 2 feet wide at the bottom. The remaining width of the corridor would be used to move and place equipment and gravel piles. Although activities would occur in farm fields where ground disturbance has already occurred, there is the potential to affect subsurface sites.

## **Sacred Sites**

To date, the FEIS investigations and consultations have not identified any American Indian sacred sites that might be affected by the action alternatives. The Program is analyzed broadly in this programmatic FEIS, and separate analyses for specific areas of potential effect will occur in the future when more information about specific actions and locations are known. During initial consultations, Tribes/Tribal Nations have not indicated that sacred sites exist in the Platte River Basin. Early file research and consultations with SHPOs did not reveal the existence of sacred sites. Once more Program site-specific information is known, Tribes will be consulted further, in accordance with applicable laws and guidance, on all aspects of potential cultural resource impacts, including sacred sites.

## SUMMARY

The action alternatives could result in construction at a historic property in the North Platte River Basin, could expose unspecified cultural resources at one project area reservoir during prolonged drought periods, could disturb unspecified cultural resources as a result of:

- Construction of groundwater recharge ponds, pipelines, pumps, and canals near the South Platte River in Colorado as part of the Tamarack Projects
- Construction of an offstream reservoir, groundwater recharge pits, or installation of Riverside drains in the Central Platte valley area.
- Habitat restoration in the Central Platte Habitat Area.

The minimum water surface elevation at Seminoe Reservoir for all but one of the alternatives would be lower than the minimum water surface elevation projected for the Present Condition, which may expose lands and any archaeological sites, if any exist. The Pathfinder Modification Project would modify the spillway, but it will not affect any historic structures at the Pathfinder Dam. Construction of a new offstream reservoir in the Central Platte valley, with possible land disturbances, and other land disturbances from habitat restoration could potentially cause negative impacts to cultural resource sites. Cultural resource impacts are summarized in table CR-1

Table CR-1. Summary of Cultural Resource Impacts

Resources and Factors	Present Condition	Governance Committee Alternative	Full Water Leasing Alternative	Wet Meadow Alternative	Water Emphasis Alternative
<b>North Platte Basin</b>					
<b>Pathfinder Reservoir</b>					
Historic Preservation and NRHP	Dam is listed as an historic property on the NRHP. A total of 7 sites eligible for NRHP.	No impact	Not applicable	No impact	
<b>Seminole Reservoir</b>					
Minimum elevation - potentially exposing sites	6,265 ft.	Could be as much as 26 ft. lower	Could be as much as 6 ft. higher	Could be as much as 26 ft. lower	
<b>Glendo Reservoir</b>					
Maximum elevation may be exceeded, but is within authorized operating range of flood pool.	4,647 ft.	Could be as much as 8.2 ft. higher	Could be as much as 2.5 ft. higher	Could be as much as 6.5 ft. higher.	Could be as much as 7.7 ft. higher
<b>South Platte Basin</b>					
<b>Tamarack Project, Phases I and III</b>					
Physical modifications - potential impacts to surface and sub-surface archaeological sites	Some features are already in place.	Construction of recharge ponds, pipelines, pumps, and canals would cause ground disturbance	Not applicable	Construction of recharge ponds, pipelines, pumps, and canals would cause ground disturbance	

Table CR-1 continued					
Central Platte Basin					
Lake McConaughy					
May go below minimum (rarely)	3,249 ft.	Could be as much as 7 ft. lower	Could be as much as 1 ft. higher	Could be as much as 7 ft. lower	Could be as much as 4 ft. lower
Central Platte Offstream Regulatory Storage Reservoir (CNPPID Re-regulation Reservoir)					
Construction of a new, offstream reservoir	No impact	Construction of would cause extensive ground disturbance	Not applicable		
Land Acquisition in the Central Habitat Area					
Land acquisition and management - ground disturbance	No impact	About 4,632 acres could be disturbed		About 8,574 acres could be disturbed.	About 3,246 acres could be disturbed
Groundwater Management in the Central Platte Groundwater Mound					
Physical modifications - potential impacts to sub-surface archaeological sites	No impact	Construction of new wells, well pads and pipelines expected to disturb localized areas	Not applicable		Construction of new wells, well pads and pipelines would disturb localized areas
Riverside Drains					
Physical modifications - potential impacts to sub-surface archaeological sites	No impact	Not applicable			Laying underground piping may affect cultural resources.

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## **ATTACHMENTS**





IN REPLY REFER TO:

# United States Department of the Interior

BUREAU OF RECLAMATION  
Reclamation Service Center  
P.O. Box 25007  
Building 67, Denver Federal Center  
Denver, Colorado 80225-0007

Attachment CR-1

Mr. Lawrence Sommer, SHPO  
Nebraska State Historical Society  
P.O. Box 82554  
1500 R Street  
Lincoln, NE 68501

August 14, 2000

Dear Mr. Sommer:

This letter is to inform you of a draft programmatic Environmental Impact Statement (EIS) that is currently being prepared to address endangered species issues affecting the Platte River Basin and to solicit any comments/concerns regarding cultural resources during this preliminary planning phase. A programmatic EIS analyzes broad-scope proposals or programs and provides a general analysis of impacts. Any site-specific actions that would result from adoption of the broad program will be analyzed and reported prior to implementation in separate National Environmental Policy Act (NEPA) documents that also address cultural resources.

The states of Nebraska, Wyoming, and Colorado, and the U.S. Department of the Interior are working in partnership to accomplish two main purposes relating to endangered species issues in the Platte River Basin:

1. To develop and implement a "recovery implementation program" (Program) to improve and conserve habitat for four threatened and endangered species that use the Platte River in Nebraska: the whooping crane, piping plover, least tern, and pallid sturgeon.
2. To enable existing and new water uses in the Platte River Basin to proceed without additional actions required (beyond the Program) for the four species under the Endangered Species Act.

In order to achieve these purposes, the Program, as currently proposed, involves providing additional or modified riverflows to and through the Central Platte habitat area, and improving habitat through managing, leasing, or acquiring appropriate lands between Lexington and Chapman, Nebraska. All leases, easements, or acquisitions of lands will be undertaken only with willing sellers and participants. More details about the Program can be found on the website ([www.platteriver.org](http://www.platteriver.org)) or by calling the Platte EIS Office at 303-445-2096.



IN REPLY REFER TO:

United States Department of the Interior

BUREAU OF RECLAMATION  
Reclamation Service Center  
P.O. Box 25007  
Building 67, Denver Federal Center  
Denver, Colorado 80225-0007

Ms. Wendy Bredehoft, SHPO  
Wyoming State Historic Preservation Office  
2301 Central Avenue, 4<sup>th</sup> Floor  
Cheyenne, Wyoming 82002

August 14, 2000

Dear Ms. Bredehoft:

This letter is to inform you of a draft programmatic Environmental Impact Statement (EIS) that is currently being prepared to address endangered species issues affecting the Platte River Basin and to solicit any comments/concerns regarding cultural resources during this preliminary planning phase. A programmatic EIS analyzes broad-scope proposals or programs and provides a general analysis of impacts. Any site-specific actions that would result from adoption of the broad program will be analyzed and reported prior to implementation in separate National Environmental Policy Act (NEPA) documents that also address cultural resources.

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United States Department of the Interior

BUREAU OF RECLAMATION

Reclamation Service Center

P.O. Box 25007

Building 67, Denver Federal Center  
Denver, Colorado 80225-0007

IN REPLY REFER TO:

Ms. Georgianna Contigulia, SHPO  
Colorado Historical Society  
1300 Broadway  
Denver, Colorado 80203

August 14, 2000

Dear Ms. Contigulia:

This letter is to inform you of a draft programmatic Environmental Impact Statement (EIS) that is currently being prepared to address endangered species issues affecting the Platte River Basin and to solicit any comments/concerns regarding cultural resources during this preliminary planning phase. A programmatic EIS analyzes broad-scope proposals or programs and provides a general analysis of impacts. Any site-specific actions that would result from adoption of the broad program will be analyzed and reported prior to implementation in separate National Environmental Policy Act (NEPA) documents that also address cultural resources.

The states of Nebraska, Wyoming, and Colorado, and the U.S. Department of the Interior are working in partnership to accomplish two main purposes relating to endangered species issues in the Platte River Basin:

1. To develop and implement a "recovery implementation program" (Program) to improve and conserve habitat for four threatened and endangered species that use the Platte River in Nebraska: the whooping crane, piping plover, least tern, and pallid sturgeon.
2. To enable existing and new water uses in the Platte River Basin to proceed without additional actions required (beyond the Program) for the four species under the Endangered Species Act.

In order to achieve these purposes, the Program, as currently proposed, involves providing additional or modified riverflows to and through the Central Platte habitat area, and improving habitat through managing, leasing, or acquiring appropriate lands between Lexington and Chapman, Nebraska. All leases, easements, or acquisitions of lands will be undertaken only with willing sellers and participants. More details about the Program can be found on the website ([www.platteriver.org](http://www.platteriver.org)) or by calling the Platte EIS Office at 303-445-2096.

The Department of the Interior is the lead Federal agency for preparing the programmatic EIS to assess impacts and evaluate alternatives. Staff from the Bureau of Reclamation, U.S. Fish & Wildlife Service, and U.S. Geological Survey are contributing to the effort. At this time a variety of elements are being considered that will be combined to formulate alternatives. The proposed elements, which are described in the enclosed attachment, fall into two broad categories: operational modifications and physical modifications. Both types have the potential to affect cultural resources. Elements involving physical modifications will result in ground-disturbing activities that could damage or destroy cultural resources. Changes in reservoir operations could affect cultural resources that are located within the reservoir pool, at its margins, or downstream.

Due to the programmatic nature of the EIS and the planning status of the draft, a definite Area of Potential Effect cannot yet be delineated. Generally, it can be defined as the river system and associated water facilities on the North Platte River from Seminoe Reservoir downstream, the South Platte River from the Denver metro area downstream, and the Central Platte River between Lexington and Grand Island, Nebraska, including the associated habitat within three miles of the river. Site-specific research of the presence and status of cultural resources associated with all of the elements is not feasible at this time. As specific federal undertakings are formulated that have the potential to affect historic properties (36CFR 800.3 (a)), cultural resources compliance requirements will be fully met.

A draft of the EIS will be sent to you for your review and comment. In the meantime, we would be happy to discuss any questions/concerns you may have at this time regarding cultural resources. Please contact Christine Pfaff at 303-445-2712 or via e-mail at [cpfaff@do.usbr.gov](mailto:cpfaff@do.usbr.gov).

Sincerely,

Christine Pfaff  
Historian

Enclosures

cc: Curtis Brown, Platte River EIS Study Manager

## Attachment 1 Description of Proposed Elements Under Consideration

The draft Programmatic EIS is evaluating a wide range of actions that might be taken to improve conditions of river and land habitat for the four target species in Nebraska. Subsequent NEPA and cultural resources compliance will be undertaken when and if specific actions are selected for implementation under the cooperative "recovery implementation program" (Program). The elements being considered are briefly described below, by sub-basin.

### North Platte River

- Operational Modifications at North Platte Reservoirs. Operational modifications are being considered at the Bureau of Reclamation's North Platte reservoirs (Seminole, Pathfinder, Kortes, Alcova, Glendo, and Guernsey), reducing in some cases the reservoir elevations and affecting the patterns of release and downstream river flows. No flows out of existing river banks would be caused by the Program. In conjunction with the operational modifications at Pathfinder Dam, the spillway would be raised to increase reservoir storage capacity. This would result in the inundation of previously exposed lands around the reservoir. At the four other reservoirs where operational modifications may occur, the historic maximum water elevations would not be exceeded.
- Water Leasing. Some leasing of existing agricultural water rights is considered, which could have a small effect on agricultural production in the basin.

### South Platte River

Each of the elements described below has the potential to decrease somewhat the downstream flows in the South Platte River during the winter and early spring months, and to increase flows somewhat in May and June. None of the elements would cause flows out of existing river banks, therefore no previously uninundated lands would be inundated.

- Tamarack Project (Phase I): This element, proposed by the State of Colorado, will be developed within the 40 miles along the South Platte above the Nebraska state line, at the Tamarack Ranch State Wildlife Area and the Pony Express State Wildlife Area. New facilities will include approximately one dozen wells located adjacent to the South Platte River that divert groundwater from the alluvial aquifer and canals that divert water from the river into 34 new recharge ponds. These waters return to the South Platte through the aquifer, thereby re-timing some of the flow in the South Platte to periods more beneficial to the target species.
- Enlarged Tamarack Project (Phase III): This element is an expansion of the Tamarack Phase I project proposed by the State of Colorado. This phase will consist of drilling additional wells and new diversions to existing canals, diverting roughly 56,000 acre-feet from the South Platte into approximately 70 new recharge ponds within 1 mile of the river. The Phase III would likely also be located at the Tamarack Ranch State Wildlife



#### Area and the Pony Express State Wildlife Area

- South Platte Water Leasing. Under this concept, the Program would enter into short or long-term leases for water or storage rights in existing reservoirs. These waters would be managed by the Program. Because participation would be voluntary, it is not possible to specify which facilities might participate. The effect of this option would be to lower somewhat the reservoir elevation and to reduce somewhat the agricultural production in the area.
- Beebe Draw Groundwater Recharge and Exchange. Northeast of Denver and paralleling the South Platte River is a system of reservoirs, canals and irrigation facilities stretching north from Barr Lake to Lower Lathem reservoir near Greeley, CO. The area is referred to as Beebe Draw, which overlays a large, shallow aquifer formed from an ancient channel of the Platte River. The water storage and delivery facilities are operated by the Farmers Reservoir and Irrigation Company, the Burlington Ditch Reservoir and Land Company, and the Henrylyn Irrigation District. The element considered for the draft EIS is based upon a project plan developed by these entities, the Barr Lake Plan, to provide additional water supplies for the Denver metro area. The draft EIS element involves diverting South Platte flows primarily through existing canal facilities for recharge into the Barr Lake aquifer. Some new recharge pits may be constructed. These waters, which could later be pumped back to the Platte River, would be exchanged for storage in other South Platte reservoirs. The waters stored in these reservoirs would be released in May to augment South Platte spring flows and sediment transport.
- Wildcat Reservoir Construction. Wildcat Reservoir is a proposed off-stream 60,000 acre-foot reservoir site on Wildcat Creek, an intermittent tributary of the South Platte River approximately 7 miles north of Fort Morgan, CO. The reservoir would store flows from the South Platte River via the Riverside Canal on the north side of the Platte River. The reservoir site and its water rights are owned by the Riverside Irrigation District, which developed the proposal for the new reservoir in the late 1970's. As assessed in the draft EIS, waters from the reservoir would be released primarily in May to augment South Platte spring flows and sediment transport.

#### Central Platte River (and North Platte downstream of Lake McConaughy)

- Operational Modifications at Lake McConaughy: Lake McConaughy provides the primary water storage for surface water irrigation systems and an interconnected system of hydropower facilities downstream of the Kingsley Dam. These facilities are operated by the Nebraska Public Power District and the Central Nebraska Public Power and Irrigation District, and generally occur between Lake McConaughy and Kearney, NE. In addition to lowering somewhat the elevation of Lake McConaughy, the various elements being considered in the draft EIS would alter the pattern of flows thru the downstream diversion structures, canals, irrigation systems, and hydropower facilities. The Program would not cause any flows to exceed current channel or canal capacities.

• Central Platte Offstream Regulatory Reservoir: Some of the alternatives involve constructing a new offstream reservoir in the bluffs south of the Central Platte River, in the reach between Gothenburg and Lexington. The options considered range in capacity from 3,000 to 10,000 af. Several sites are being considered.

- Central Platte Groundwater Mound Conjunctive Use: South of the Central Platte River, the area roughly bounded by Elwood, Holdrege, and Minden, NE, is irrigated by waters delivered from Lake McConaughy. The groundwater in this area has risen significantly due to the surface irrigation, and has become known as the Central Platte Groundwater Mound. Some of the alternatives propose to use this area to store excess winter river flows by diverting them through the Central District canals and injecting those flows into wells and recharge pits in the Groundwater Mound area. These waters would then be pumped back into the irrigation delivery canals during the irrigation season.
- Central Platte Riverside Drains: This alternative involves installing agricultural drains under farmed fields in the Central Platte region which experience chronically high groundwater. These drains would lower the groundwater table a few feet, and drain the waters to the Platte River. Lands which are actively cultivated and have a typical spring water table of less than 5 feet would be considered for drainage. This would lower the water table, thereby reducing direct evaporation and evapotranspiration by vegetation. Drains would provide supplemental water for in-stream flows as well as benefitting the lands.

The lands that appear to be adaptable to this plan lie along either side of the Central Platte River on the first or second terrace. On the south side of the river, lands meeting the criteria of shallow water table, occur intermittently from the Tri County Canal diversion a length of about 70 miles to the east edge of Range 21 West. From there, lands meeting the criteria lie in a continuous strip that extends to the east edge of Range 14 west; a distance of 42 miles. A reasonable estimate for development would be 25 miles of drain in each of the 2 segments for a total of 50 miles of drains.

The areas meeting the water depth criteria on the north side tend to be discontinuous but more broad than those on the south side. The strip generally lies south of highway 30 and is from 1/4 mile to about 3 miles wide. It extends from the town of Maxwell to east of Kearney for a distance of about 100 miles. Within this area, possibly 50 miles of drain could be constructed to produce supplemental flows. About half of these drains would be west of the town of Overton and half would be to the east of Overton.

If 100 miles of drains were constructed, the flow from the drains would be about 40,000 acre-feet annually of which about 8,000 acre-feet would be salvaged water, that is, waters that would not otherwise reach the river but would be lost due to direct evaporation or through evapotranspiration by vegetation.

- Central Platte Land Habitat Management. Along the Platte River roughly between Lexington, NE and Grand Island, NE, the Program would acquire from willing sellers

aproximately 10,000 acres of land for habitat along and adjacent to the river channel. These lands, which are within the floodplain of the river, would be managed for the benefit of the target bird species. This would primarily involve clearing of woodlands and vegetation, lowering the profile of some wooded islands, restoration of wet meadows and river backwaters, and protection from human disturbance during periods of use by the species.



Attachment CR-2

AUG 10 2000

PL-100  
ENV-6.00

Mr. Anthony A. Addison, Sr., Chairman  
Northern Arapahoe Tribe  
PO Box 217  
Fort Washakie WY 82514

Dear Mr. Addison:

This letter is to inform you of a draft programmatic Environmental Impact Statement (EIS) that is currently being prepared to address endangered species issues affecting the Platte River Basin and to seek any comments regarding cultural resources during this preliminary planning phase. A programmatic EIS analyzes broad-scope proposal or programs and provides a general analysis of impacts. Any site-specific actions that would result from adoption of the broad program will be analyzed and reported in separate National Environmental Policy Act (NEPA) documents prior to implementation.

The states of Nebraska, Wyoming, and Colorado, and the U.S. Department of the Interior are working in partnership to accomplish two main purposes relating to endangered species issues in the Platte River Basin:

1. To develop and implement a "recovery implementation program" (Program) to improve and conserve habitat for four threatened and endangered species that use the Platte River in Nebraska: the whooping crane, piping plover, least tern, and pallid sturgeon.
2. To enable existing and new water uses in the Platte River Basin to proceed without additional actions required (beyond the Program) for the four species under the Endangered Species Act.

In order to achieve these purposes, the Program, as currently proposed, involves providing additional or modified river flows to and through the Central Platte habitat area, and improving habitat through managing, leasing, or acquiring appropriate lands between Lexington and Chapman, Nebraska. All leases, easements, or acquisitions of lands will be undertaken only with willing sellers and participants. More details about the Program can be found on the website ([www.platteriver.org](http://www.platteriver.org)) or by calling the Platte River EIS Office at 303-445-2096.

The Department of the Interior is the lead Federal agency for preparing the programmatic EIS to assess impacts and evaluate alternatives. Staff from the Bureau of Reclamation, U.S. Fish & Wildlife Service, and U.S. Geological Survey are contributing to the effort. At this time a variety of elements are being considered that will be combined to formulate alternatives. The proposed

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elements, which are described in enclosure I, fall into two broad categories: operational modifications and physical modifications. Both types have the potential to affect cultural resources. Elements involving physical modifications will result in ground-disturbing activities that could damage or destroy cultural resources. Changes in reservoir operations could affect cultural resources that are located within the reservoir pool, at its margins, or downstream.

Regulations of the National Historic Preservation Act of 1966, as amended, require that Federal agencies identify Indian tribes that "might attach religious and cultural significance to historic properties in the area of potential effect (36CFR 800.3(4)(f)(2))." Due to the programmatic nature of the EIS, a definite Area of Potential Effect cannot yet be delineated. Generally, the range of elements being considered affect the river system and associated water facilities on the North Platte River from Seminoe Reservoir downstream, the South Platte River from the Denver metro area downstream, and the Central Platte River in Nebraska, including the associated habitat within 3 miles of the river. Site-specific research of the presence and status of cultural resources associated with all of the elements is not feasible at this time. When specific Federal undertakings are formulated that have the potential to affect historic properties (36CFR 800.3 (a)), cultural resources compliance requirements will be fully met.

A draft of the EIS will be sent to you for your review and comment. In the meantime, we would appreciate knowing if you have historic interest in the Platte River Basin area to the extent that you wish to be consulted further during development of the EIS. We would also be happy to discuss any questions/concerns you may have at this time regarding cultural resources, including traditional cultural properties. If you would like to meet with us on the proposed Program or, conversely, if you do not wish to receive any additional information, please contact Christine Pfaff. She can be reached at 303-445-2712 or via e-mail at [cpfaff@do.usbr.gov](mailto:cpfaff@do.usbr.gov).

Sincerely,


A handwritten signature in black ink that reads "CURT BROWN". The signature is stylized, with the first name "CURT" and last name "BROWN" clearly legible.

Curtis A. Brown, Study Manager  
Platte River EIS Office

Enclosures

cc: Nelson White  
PO Box 396  
Fort Washakie WY 82514  
w/encl

bc: D-8580 (Pfaff)  
w/o encl, w/o mailing list



Don Ament  
State of Colorado  
700 Kipling St., #4000  
Lakewood CO 80215-5894

Lawrence Besson  
Wyoming Water Development Commission  
Herschler Building  
122 West 25<sup>th</sup> St., 4W  
Cheyenne WY 82002

Dayle Williamson  
State of Nebraska  
301 Centennial Mall South  
Lincoln NE 68509  
w/o encl, w/mailling list

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## **Attachment I**

### **Description of Proposed Elements Under Consideration**

The draft Programmatic EIS is evaluating a wide range of actions that might be taken to improve conditions of river and land habitat for the four target species in Nebraska. Subsequent NEPA and cultural resources compliance will be undertaken when and if specific actions are selected for implementation under the cooperative “recovery implementation program” (Program). The elements being considered are briefly described below, by sub-basin.

#### **North Platte River**

- Operational Modifications at North Platte Reservoirs. Operational modifications are being considered at the Bureau of Reclamation’s North Platte reservoirs (Seminole, Pathfinder, Kortes, Alcova, Glendo, and Guernsey), reducing in some cases the reservoir elevations and affecting the patterns of release and downstream river flows. No flows out of existing river banks would be caused by the Program. In conjunction with the operational modifications at Pathfinder Dam, the spillway would be raised to increase reservoir storage capacity. This would result in the inundation of previously exposed lands around the reservoir. At the four other reservoirs where operational modifications may occur, the historic maximum water elevations would not be exceeded.
- Water Leasing. Some leasing of existing agricultural water rights is considered, which could have a small effect on agricultural production in the basin.

#### **South Platte River**

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- Enlarged Tamarack Project (Phase III): This element is an expansion of the Tamarack Phase I project proposed by the State of Colorado. This phase will consist of drilling additional wells and new diversions to existing canals, diverting roughly 56,000 acre-feet from the South Platte into approximately 70 new recharge ponds within 1 mile of the river. The Phase III would likely also be located at the Tamarack Ranch State Wildlife

#### Area and the Pony Express State Wildlife Area.

- South Platte Water Leasing. Under this concept, the Program would enter into short or long-term leases for water or storage rights in existing reservoirs. These waters would be managed by the Program. Because participation would be voluntary, it is not possible to specify which facilities might participate. The effect of this option would be to lower somewhat the reservoir elevation and to reduce somewhat the agricultural production in the area.
- Beebe Draw Groundwater Recharge and Exchange. Northeast of Denver and paralleling the South Platte River is a system of reservoirs, canals and irrigation facilities stretching north from Barr Lake to Lower Lathem reservoir near Greeley, CO. The area is referred to as Beebe Draw, which overlays a large, shallow aquifer formed from an ancient channel of the Platte River. The water storage and delivery facilities are operated by the Farmers Reservoir and Irrigation Company, the Burlington Ditch Reservoir and Land Company, and the Henrylyn Irrigation District. The element considered for the draft EIS is based upon a project plan developed by these entities, the Barr Lake Plan, to provide additional water supplies for the Denver metro area. The draft EIS element involves diverting South Platte flows primarily through existing canal facilities for recharge into the Barr Lake aquifer. Some new recharge pits may be constructed. These waters, which could later be pumped back to the Platte River, would be exchanged for storage in other South Platte reservoirs. The waters stored in these reservoirs would be released in May to augment South Platte spring flows and sediment transport.
- Wildcat Reservoir Construction. Wildcat Reservoir is a proposed off-stream 60,000 acre-foot reservoir site on Wildcat Creek, an intermittent tributary of the South Platte River approximately 7 miles north of Fort Morgan, CO. The reservoir would store flows from the South Platte River via the Riverside Canal on the north side of the Platte River. The reservoir site and its water rights are owned by the Riverside Irrigation District, which developed the proposal for the new reservoir in the late 1970's. As assessed in the draft EIS, waters from the reservoir would be released primarily in May to augment South Platte spring flows and sediment transport.

#### **Central Platte River (and North Platte downstream of Lake McConaughy)**

- **Operational Modifications at Lake McConaughy:** Lake McConaughy provides the primary water storage for surface water irrigation systems and an interconnected system of hydropower facilities downstream of the Kingsley Dam. These facilities are operated by the Nebraska Public Power District and the Central Nebraska Public Power and Irrigation District, and generally occur between Lake McConaughy and Kearney, NE. In addition to lowering somewhat the elevation of Lake McConaughy, the various elements being considered in the draft EIS would alter the pattern of flows thru the downstream diversion structures, canals, irrigation systems, and hydropower facilities. The Program would not cause any flows to exceed current channel or canal capacities.

- Central Platte Offstream Regulatory Reservoir: Some of the alternatives propose constructing a new offstream reservoir in the bluffs south of the Central Platte River, in the reach between Gothenburg and Lexington. The options considered range in capacity from 3,000 to 10,000 af. Several sites are being considered.
- Central Platte Groundwater Mound Conjunctive Use: South of the Central Platte River, the area roughly bounded by Elwood, Holdrege, and Minden, NE, is irrigated by waters delivered from Lake McConaughy. The groundwater in this area has risen significantly due to the surface irrigation, and has become known as the Central Platte Groundwater Mound. Some of the alternatives propose to use this area to store excess winter river flows by diverting them through the Central District canals and injecting those flows into wells and recharge pits in the Groundwater Mound area. These waters would then be pumped back into the irrigation delivery canals during the irrigation season.
- Central Platte Riverside Drains: This alternative involves installing agricultural drains under farmed fields in the Central Platte region which experience chronically high groundwater. These drains would lower the groundwater table a few feet, and drain the waters to the Platte River. Lands which are actively cultivated and have a typical spring water table of less than 5 feet would be considered for drainage. This would lower the water table, thereby reducing direct evaporation and evapotranspiration by vegetation. Drains would provide supplemental water for in-stream flows as well as benefitting the lands.

The lands that appear to be adaptable to this plan lie along either side of the Central Platte River on the first or second terrace. On the south side of the river, lands meeting the criteria of shallow water table, occur intermittently from the Tri County Canal diversion a length of about 70 miles to the east edge of Range 21 West. From there, lands meeting the criteria lie in a continuous strip that extends to the east edge of Range 14 west; a distance of 42 miles. A reasonable estimate for development would be 25 miles of drain in each of the 2 segments for a total of 50 miles of drains.

The areas meeting the water depth criteria on the north side tend to be discontinuous but more broad than those on the south side. The strip generally lies south of highway 30 and is from 1/4 mile to about 3 miles wide. It extends from the town of Maxwell to east of Kearney for a distance of about 100 miles. Within this area, possibly 50 miles of drain could be constructed to produce supplemental flows. About half of these drains would be west of the town of Overton and half would be to the east of Overton.

If 100 miles of drains were constructed, the flow from the drains would be about 40,000 acre-feet annually of which about 8,000 acre-feet would be salvaged water, that is, waters that would not otherwise reach the river but would be lost due to direct evaporation or through evapotranspiration by vegetation.

- Central Platte Land Habitat Managment. Along the Platte River roughly between Lexington, NE and Grand Island, NE, the Program would acquire from willing sellers

aproximately 10,000 acres of land for habitat along and adjacent to the river channel. These lands, which are within the floodplain of the river, would be managed for the benefit of the target bird species. This would primarily involve clearing of woodlands and vegetation, lowering the profile of some wooded islands, restoration of wet meadows and river backwaters, and protection from human disturbance during periods of use by the species.

Identical letters sent to entire list.

**Platte River EIS**  
**Cultural Resource Contacts**  
**Native American Tribes**  
8/4/00

Apache Tribe of Oklahoma  
P O Box 1220  
Aradarko, OK 73005  
Henry Kostzuta, Chairman  
CC: Alonzo Chalepah

Blackfeet Nation  
PO Box 850  
Browning, MT 59417  
William Old Chief, Tribal Chairman  
CC: Ken Talks About, Culture Chairman

Cheyenne-Arapaho Tribes of Oklahoma  
PO Box 38  
Concho, OK 73022  
James Pedro, Chairman  
CC: Joe Big Medicine, Jr.

Cheyenne River Sioux Tribe  
PO Box 590  
Eagle Butte, SD 57625  
Greg J. Bourland, Chairman  
CC: Sebastian (Bronco) LeBeau, Cultural  
Preservation Officer, THPO

Comanche Nation  
Box 908  
Lawton, OK 73502  
Johnny Wauqua, Chairman  
Comanche Tribal Business Council  
CC: Hammond Motah  
Office of Environmental Programs

Crow Tribe of Indians  
Box 159  
Crow Agency, MT 59022  
Clifford Bird-in-Ground, Chairman  
CC: Burton Pretty On Top, Cultural Director  
Crow Historical and Cultural Committee

Crow Creek Sioux Tribe  
PO Box 50  
Fort Thompson, SD 57339  
Roxanne Sazue, Chairperson  
CC: Torin Crow, Culture Resources Director

Eastern Shoshone Tribe  
Fort Washakie, WY 82514  
John Washakie, Chairman  
Shoshone Business Council  
P.O. Box 217  
CC: Haman Wise  
P.O. Box 538

Flandreau Santee Sioux Tribe  
PO Box 283  
Flandreau, SD 57028  
Tom Ranfranz, President  
CC: Sam Allen, Economic Development/Cultural  
Resources Coordinator

Fort Peck Assiniboine and Sioux Tribe  
Planning Office PO Box 1027  
Poplar, MT 59255  
Spike Big Horn, Chairman  
Curley Youpee, Director Cultural Resources

Fort Sill Apache Tribe  
Route 2, Box 121  
Apache, OK 73006  
Ruey Darrow, Chairperson  
Fort Sill Apache Business Council  
CC: Leland Michael Darrow  
Tribal Historian

Jicarilla Apache Tribe  
PO Box 507  
Dulce, NM 87528-0507  
Roger T. Vicenti, President  
CC: Randy Sandoval

Kiowa Tribe of Oklahoma  
PO Box 369  
Carnegie, OK 73015  
Billy Evans Horse, Chairman  
CC: George Daingkaui

Lower Brule Sioux Tribe  
PO Box 187  
Lower Brule, SD 57548  
Michael G. Jandreau, Chairman  
CC: Scott Jones, Tribal Preservation Officer

Mandan, Hidatsa, & Arikara Nation  
HC 3 Box 2  
New Town, ND 58763-9402  
Tex G. Hall, Chairman  
CC: Elgin Crow's Breast, Cultural Preservation  
Officer



Mescalero Apache Tribe  
PO Box 227  
Mescalero, NM 88340  
Sara Misquez, President  
CC: Donna McFadden, Historic Preservation

Northern Arapaho Tribe  
Fort Washakie, WY 82514  
Anthony A. Addison, Sr., Chairman  
Northern Arapaho Business Council  
P.O. Box 217  
CC: Nelson White  
P.O. Box 396

Northern Cheyenne Tribe  
PO Box 128  
Lame Deer, MT 59043  
Joseph Walks Along, Sr., President  
CC: Mark Wandering Medicine  
Director, Cultural Resources Program

Northwestern Band of Shoshoni Nation  
PO Box 637  
Blackfoot, ID 83221  
Gwen Davis, Chairperson

Oglala Sioux Tribe  
PO Box H, #468  
Pine Ridge, SD 57770  
Harold Salway, President  
CC Christine Wheeler, Culture Committee

Omaha Tribe of Nebraska  
PO Box 368  
Macy, NE 68039  
Elmer Blackbird, Chairman  
JC Aldrich, Councilman

Otoe-Missouria Tribe of Oklahoma  
Acting Chairman Dewey Daily  
8151 Highway 177  
Red Rock, OK 74651

Pawnee Tribe of Oklahoma  
PO Box 470  
Pawnee, OK 74058  
Robert Chapman, President  
CC: Francis Morris

Ponca Tribe of Nebraska  
PO Box 288  
Niobrara, NE 68760  
Fred Leroy, Chairman  
CC: Phil Wendzillo

Ponca Tribe of Oklahoma  
20 White Eagle Drive  
Ponca City, OK 74601  
Lionel LeClair, Chairperson  
Ponca Business Committee

Rosebud Sioux Tribe  
PO Box 430  
Rosebud, SD 57570  
President William Kindle  
CC: Terry Gray, Preservation Coordinator

Santee Sioux Tribe of Nebraska  
Route 2 Box 235  
Niobrara, NE 68760  
Arthur Denny, Chairman  
James A. White, Tribal Council

Shoshone-Bannock Tribes  
PO Box 306  
Fort Hall, ID 83203-0306  
Lionel Boyer, Chairman  
CC: Diana Yupe, Heritage Tribal Office

Shoshone-Paiute Tribe  
PO Box 219  
Owyhee, NV 89832  
Marvin Cota, Tribal Chairman  
CC: Whitney McKinney

Sisseton Wahpeton Sioux Tribe  
Chairman Andrew J. Grey, Sr.  
P.O. Box 509  
Agency Village, SD 57262

Southern Ute Indian Tribe  
John E. Baker, Jr., Chairman  
P.O. Box 737  
Agnacio, CO 81137  
cc: Everett Burch  
Cultural Preservation Division

Spirit Lake Sioux Tribe  
PO Box 359  
Fort Totten, ND 58335  
Philip Longie, Chairperson  
CC: Mary Ann Blackpole, Cultural Resources  
Office

Standing Rock Sioux Tribe  
PO Box D  
Fort Yates, ND 58538  
Charles W. Murphy, Chairman  
CC: Tim Mentz, THPO

Wichita & Affiliated Tribes  
P.O. Box 729

Andarko OK 73005  
Gary McAdams, President  
Wichita Executive Council

Ute Mountain Ute Tribe  
General Delivery  
Towaoc, CO 81334  
Ernest House, Chairman  
cc: Terry Knight  
Ute Mountain Ute Farm & Ranch Enterprise  
P.O. Box 53

Yankton Sioux Tribe  
PO Box 248  
Marty, SD 57361  
Madonna Archambeau, Chairperson  
CC: Sam Weddell, Economic Development  
Administrator

Winnebago Tribe  
P.O. Box 687  
Winnebago, NE 68071-0687  
Kenneth Mallory, Chairman

Minnesota Mdewakanton Sioux  
Chairman Roger Prescott  
Community Center  
39527 Res. Highway 1  
P.O. Box 308  
Morton, MN 56270-9801

Shakopee Mdewakanton Dakota  
Community  
Chairman Stanley Crooks  
2330 Sioux Trail N.W.  
Prior Lake, MN 55372

Prairie Island Dakota Community of  
Minnesota  
Attn: Chairman  
1158 Island Blvd.  
Welch, MN 55089

Upper Sioux Community of Minnesota  
Attn: Chairman  
P.O. Box 147  
Granite Falls, MN 56241



## Pawnee Nation of Oklahoma

August 30, 2000

Mr. Curtis Brown  
Study Manager  
Platte River EIS Office

Dear Sir;

<b>PREISC RECEIVED</b>		
SEP 11 2000		
DATE	INITIALS	CODE
9/11		

P.O. Box 470  
Pawnee, Oklahoma 74058  
PHONE: 918-762-2541  
FAX: 918-762-4043

The Pawnee Nation Has no objections to the project as was explained to me over the phone. The majority of our sacred sites lie to the east of Grand Island, and mainly along the Loup and its tributaries, however there may be many undiscovered burial sites other unknown sacred sites anywhere along the Platte or other water ways in Nebraska.

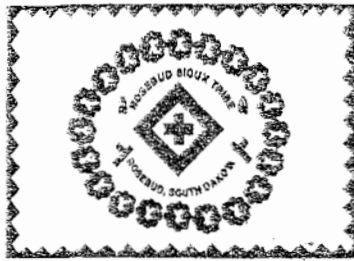
If I can be of further assistance, please contact me at the above address or telephone number.

Sincerely

A handwritten signature in cursive script, appearing to read "Francis Morris".

Francis Morris, Coordinator  
Repatriation Office/THPO

Repat file



*Rosebud Sioux Tribe*

SICANGU OYATE

ROSEBUD, SOUTH DAKOTA 57570

P.O. BOX 430

Phone 605/747-2381 - Fax 605/747-2243

04 DECEMBER 2000

WILLIAM KINGLE

President

ALEX J. LITTLE SOLDIER

Vice-President

CHARLES L. WHITE PIPE, JR.

Treasurer

GERRI NIGHT PIPE

Secretary

PAT BAD HAND, SR.

Sergeant-at-arms

Bureau of Reclamation & Fish & Wildlife Service

Platte River EIS Office

P.O. Box 25007

Denver, Colorado

80225 - 0007

RE: Platte River Endangered Species Recovery Implementation Program

Dear Curtis,

In reponse to your letter to the Tribal President dated November 13, 2000, I would like to remind you that the Treaties of 1851, Ft. Laramie and the 1868 Ft. Laramie are still valid today as they were back then.

The Platte River is the southern boundary line for the Sioux Nation, the Sioux Nation signed the treaties, so I don't think this includes Rosebud only, in fact this is the first time I have read this recovery program. There are other issues besides the Endangered Species, Tribes have cultural resource and water rights issues that needs to be addressed.

If the cultural survey is done under NHPA, Section 106 then I need to be provided with a copy so I can respond. Again, the issue on water rights is ignored based on the Winter's Doctrine.

So, I would like to see these reports before I can recommend to the Tribal President's and the Tribal Council's blessing for their approval.

I hope you can in the future to include the Tribes in the process after all we are the first inhabitants of this Turtle Island you call United States of America. In closing, let us not forget Article I, Clause 8, Section 3 of the United States Constitution, which recognizes the sovereignty of Indian Tribes and the Constitution expressly authorizes Congress to conduct relations with Indian Tribal Governments.

Sincerely,

*Fremont Fallis*

Fremont Fallis, Coordinator  
Sicangu Lakota Treaty Council

Rosebud Sioux Tribe

P.O. Box 430

Rosebud, South Dakota 57570

Phone: (605) 747 - 2381 ext. 221, 239



United States Department of the Interior

BUREAU OF RECLAMATION &amp; FISH AND WILDLIFE SERVICE

Platte River EIS Office

PO Box 25007

Denver, Colorado 80225-0007

303-445-2096

IN REPLY REFER TO:

PL-100

ENV-6.00

OCT 10 2003

Pawnee Nation  
President George E. Howell  
881 Little Dee Drive  
Building 64  
Pawnee, OK 74058

Dear President Howell,

The states of Nebraska, Wyoming, and Colorado, and the U.S. Department of the Interior have worked in partnership to develop a Platte River Endangered Species Recovery Program (Program), and will soon release a Draft Environmental Impact Statement (DEIS) to the public. The main goals of the Program, analyzed in the DEIS, are to:

- Improve and conserve habitat for four threatened and endangered species that use the Platte River in Nebraska: the whooping crane, piping plover, least tern, and pallid sturgeon.
- Enable existing and new water uses in the Platte River Basin to proceed without additional actions required beyond the Program for the four species under the Endangered Species Act.

The actions described in the DEIS focus on improving habitat in the Lexington to Chapman, Nebraska reach of the Central Platte River, referred to as the Habitat Area, by changing upstream reservoir operations and acquiring land. Habitat would be improved primarily by providing additional or modified river flows to and through the Habitat Area, and by managing, leasing, or acquiring up to 10,000 acres of appropriate lands (on a willing seller/lessor basis) in the Habitat Area.

Regulations of the National Historic Preservation Act of 1966, as amended, require that Federal agencies identify American Indian tribes and nations that "might attach religious and cultural significance to historic properties in the Area of Potential Effect (36CFR 800.3(4)(f)(2))." Executive Order (E.O.) 13007 of May 24, 1996, *Indian Sacred Sites*, directs each Federal agency to accommodate access to, and ceremonial use of Indian sacred sites on Federal lands (including leased lands and rights-of-way) by Indian religious practitioners, and to avoid adversely affecting the physical integrity of sacred sites. Consultation with tribes is to occur in compliance with the Executive memorandum of April 29, 1994, *Government-to-Government Relations with Native*

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					OFFICIAL FILE COPY		
					DATE	SURNAME	CODE
North Platte Reservoirs	File Search Findings						
	Total Acres Subjected to Previous Class III Surveys	Sites Eligible for NRHP	Sites Ineligible for NRHP	Sites Not Yet Evaluated			
Pathfinder Reservoir	1,602 acres	7 sites (5 are contributing elements of the Pathfinder Historic District)	15 sites	11 sites			
					Classification		
					Project		
					Control No.		
					Folder ID.		
Alcova Reservoir	3,372 acres	2 sites	12 sites	research in progress			
Seminole Reservoir	500 acres	research in progress	research in progress	research in progress			
Glendo Reservoir	6,071 acres	research in progress	research in progress	research in progress			
Guernsey Reservoir	461 acres	research in progress	research in progress	research in progress			

On-the-ground, class III surveys for other Areas of Potential Affect would be required in conjunction with more detailed planning of site-specific activities.

We would like to have any comments you may have by November 18, 2003 in order for us to incorporate them before the DEIS is released to the public. Please contact Rebecca Redhorse to further discuss any concerns you may have. Ms. Redhorse can be reached at (303) 445-2095, or via email at [rredhorse@prs.usbr.gov](mailto:rredhorse@prs.usbr.gov).

Sincerely,

Curtis A. Brown, Study Manager  
Platte River EIS Office



(without enclosures)  
Pawnee Nation  
Francis Morris,  
Repatriation Coordinator  
P.O. Box 470  
Pawnee, OK 74058

Kenney (W-6100)  
Lechefskey (GP-4200)  
Pfaff (D-5300)  
Baily (D-8580)  
Chada (NK-500)  
Coutant (GP-4200)

OFFICIAL FILE COPY		
DATE	SURNAME	CODE
Classification		
Project		
Control No.		
Folder I.D.		



# United States Department of the Interior

## BUREAU OF RECLAMATION & FISH AND WILDLIFE SERVICE

Platte River EIS Office

PO Box 25007

Denver, Colorado 80225-0007

303-445-2096

JAN 22 2004

IN REPLY REFER TO:

PL-100

ENV-6.00

Minnesota Mdewakanton Sioux  
Chairman Ann Larsen  
Community Center  
P.O. Box 308  
Morton, MN 56270-9801

Dear Chairman Larsen,

The states of Nebraska, Wyoming, and Colorado, and the U.S. Department of the Interior have worked in partnership to develop a Platte River Endangered Species Recovery Program (Program). We have enclosed a copy of the Program Draft Environmental Impact Statement (DEIS), which is now being released to the public. The main goals of the Program, analyzed in the DEIS, are to:

- ▶ Improve and conserve habitat for four threatened and endangered species that use the Platte River in Nebraska: the whooping crane, piping plover, least tern, and pallid sturgeon.
- ▶ Enable existing and new water uses in the Platte River Basin to proceed without additional actions required beyond the Program for the four species under the Endangered Species Act.

The actions described in the DEIS focus on improving habitat in the Lexington to Chapman, Nebraska reach of the Central Platte River, referred to as the Habitat Area, by changing upstream reservoir operations and acquiring land. Habitat would be improved primarily by providing additional or modified river flows to and through the Habitat Area, and by managing, leasing, or acquiring up to 10,000 acres of appropriate lands (on a willing seller/lessor basis) in the Habitat Area.

### Cultural Resources

Regulations of the National Historic Preservation Act of 1966, as amended, require that Federal agencies identify American Indian tribes and nations that "might attach religious and cultural significance to historic properties in the Area of Potential Effect (36CFR 800.3(4)(f)(2))." Executive Order (E.O.) 13007 of May 24, 1996, *Indian Sacred Sites*, directs each Federal agency to accommodate access to, and ceremonial use of Indian sacred sites on Federal lands (including

leased lands and rights-of-way) by Indian religious practitioners, and to avoid adversely affecting the physical integrity of sacred sites. Consultation with tribes is to occur in compliance with the Executive memorandum of April 29, 1994, *Government-to-Government Relations with Native American Tribal Governments*.

As part of the consultation process, we informed your Tribe or Tribal Nation in a letter (copy enclosed), dated August 10, 2000, that a draft programmatic Environmental Impact Statement (DEIS) was being prepared, and requested any comments regarding cultural resources. As a result of August 10, 2000 consultation letters to 41 American Indian Nations and Tribes with historical ties to the Program area, we received two responses. A letter from the Pawnee Nation, dated August 30, 2000, stated that while it had no objections to the Program, it acknowledged that there might be burial sites in the area. In a letter dated December 4, 2000, a Rosebud Sioux Tribe Sicangu Lakota Treaty Council representative encouraged us to provide any cultural resource survey work completed for review and comment.

On October 10, 2003, a letter was mailed to the two Tribes, the Pawnee Nation and Rosebud Sioux Tribe, that had responded and commented earlier about the Program. The letters transmitted a working draft version of the DEIS, and highlighted cultural resources findings, and requested comments. No comments were received.

In continuation of the consultation process, we enclose a copy of the DEIS: *Platte River Draft Programmatic Environmental Impact Statement* for your review and comment. Consultations with the Colorado, Wyoming and Nebraska State Historic Preservation Officers (SHPOs) are also ongoing.

An important point to keep in mind is that the DEIS is programmatic. At this point, broad-scope proposals are offered with a general analysis of impacts. Any site-specific actions that would result from adoption of the broad program will be analyzed and reported in separate, future National Environmental Policy Act (NEPA) documents before they are implemented. Similarly, due to the programmatic nature of the DEIS, a definite Area of Potential Effect cannot yet be completely delineated, which means that, although some initial cultural resource survey work has been completed, the majority of it will have to be completed later.

There are several primary Program actions described in the DEIS: Reservoir operation changes, some construction, and land management, all of which have the potential to impact cultural resources. Changes in reservoir operations could affect unspecified cultural resources at Seminoe Reservoir due to potentially lower reservoir levels. Construction and land management activities would result in ground-disturbing activities at recharge sites in the South Platte Basin and in the Habitat Area in the Central Platte Basin that could potentially impact unspecified cultural resources.

To summarize cultural resources work to date, a partial, preliminary class I survey was conducted using literature and archival searches from the Nebraska SHPO on January 16, 2003, for Central

Platte Habitat Area lands near the Platte River in central Nebraska. The survey covered an area approximately 6 miles wide centered on the Platte River and extending from approximately Maxwell in Lincoln County to Central City in Merrick County, Nebraska. The file search identified 106 historic properties and 67 archeological surveys that have taken place within this locale. This search also identified that less than 1 percent of the total area searched has been the subject of recent class III surveys.

Some early components of a class I survey were initiated for the North Platte reservoirs using archival searches, and the preliminary results are displayed in the table below.

North Platte Reservoirs	Summary of Initial North Platte River Reservoir Survey File Search Findings			
	Total Acres Subjected to Previous Class III Surveys	Sites Eligible for NRHP (or currently listed)	Sites Ineligible for NRHP	Sites Not Yet Evaluated
Pathfinder Reservoir	1,602 acres	7 sites (5 are contributing elements of the Pathfinder Historic District)	15 sites	11 sites
Alcova Reservoir	3,372 acres	2 sites	12 sites	research in progress
Seminole Reservoir	530 acres	13 sites	10 sites	10 sites
Glendo Reservoir	7,745 acres	39 sites	38 sites	12 sites
Guernsey Reservoir	423 acres	16 sites	12 sites	6 sites
Lake McConaughy	Only a small percentage of the shoreline around the reservoir has been surveyed and a number of archaeological sites were located. The dam has been determined eligible to the NRHP as a contributing feature to the Kingsley Dam Project.			

On-the-ground, class III surveys for other Areas of Potential Affect would be required in conjunction with more detailed planning of site-specific activities.

## Indian Trust Assets (ITAs)

Each Department of the Interior bureau must identify any potential effects on Indian trust assets (ITA), explicitly address them in planning documents, and conduct consultation in a government-to-government manner, as required by the National Environmental Policy Act (NEPA), Departmental Manual (Part 512 DM 2), 64 Stat. 1262 and other guidance. You may recall that we informed you in a letter, dated November 13, 2000, that a Program was being developed and that a draft programmatic Environmental Impact Statement (DEIS) was being prepared, and asked if there were any ITAs in the area.

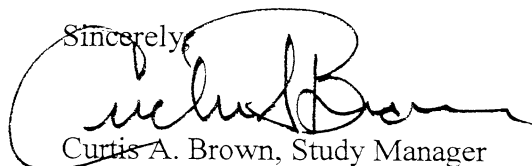
As a result of our November 13, 2000 consultation letters to the Otoe-Missouria Tribe, Omaha Tribe, Northern Cheyenne Tribe, Arapaho Tribe, Cheyenne-Arapaho Tribe of Oklahoma, Pawnee Nation, and Sioux Nation Tribes, we received one response which was from the Rosebud Sioux Tribe. In the letter, dated December 4, 2000, a representative of the Sicangu Lakota Treaty Council responded by stating that the southern border of the Sioux Nation Treaty area includes the North Platte River, and that as a result, the Sioux Nation may have water rights issues to be addressed.

Since we are also required to include the Bureau of Indian Affairs (BIA) in the ITA identification and consultation process, we had sent a September 2000 letter to the Regional Director BIA Great Plains Regional Office in Aberdeen, South Dakota, explaining the Program and requesting any information they may have about ITAs in the Platte River Basin. In September 24, 2001, BIA responded that there are no trust properties within the project area boundaries. The letter also stated that there are judicially established Indian land areas within the basin that were determined through a judicial review by the U.S. Indian Claims Commission.

As a result of our consultations with you and the BIA, the ITA section of the DEIS acknowledges that the southern border of the 1851 and 1868 Ft. Laramie Sioux Nation Treaty areas include the North Platte River. The fact that the monetary compensation from the Claims Court cases was not accepted by the Sioux Nation with the primary goal of regaining the 1851 and 1868 treaty lands is also stated in the ITA section. However, at present, it is noted that there have been no further legal actions taken by the Sioux Nation in attempts to acquire water rights.

We would like to have any comments you may have by April 2, 2004. Please contact Rebecca Redhorse to further discuss any concerns you may have. Ms. Redhorse can be reached at (303) 445-2095, or via email at [rredhorse@prs.usbr.gov](mailto:rredhorse@prs.usbr.gov).

Sincerely,



Curtis A. Brown, Study Manager  
Platte River EIS Office

Enclosure

Identical Letter Sent to:

Cheyenne-Arapaho Tribes of Oklahoma  
Chairman Robert Tabor  
cc: Melvin Romannose  
P.O. Box 38  
Concho, OK 73022  
(w/encl)

Cheyenne River Sioux Tribe  
Chairman Harold C. Frazier  
cc: Jim Picott, Cultural Preservation Officer  
P.O. Box 590  
Eagle Butte, SD 57625  
(w/encl)

Crow Creek Sioux Tribe  
Chairman Duane Big Eagle  
P.O. Box 50  
Fort Thompson, SD 57325  
(w/encl)

Flandreau Santee Sioux Tribe  
President Tom Ranfranz  
cc: Sam Allen, Cultural Resources  
Coordinator  
P.O. Box 283  
Flandreau, SD 57028  
(w/encl)

Lower Brule Sioux Tribe  
Chairman Michael G. Jandreau  
cc: Scot Jones, Tribal Preservation  
P.O. Box 187  
Lower Brule, SD 57548  
(w/encl)

Chairman Burton Hutchinson, Sr.  
Northern Arapaho Business Council  
cc: Alonzo Moss  
P.O. Box 396  
Fort Washakie, WY 82514  
(w/encl)

Northern Cheyenne Tribe  
President Geri Small  
cc: Gilbert Brady  
P.O. Box 128  
Lame Deer, MT 59043  
(w/encl)

Oglala Sioux Tribe  
Chairman John Yellow Bird Steele  
cc: Kevin Steele, Culture Committee  
P.O. Box 2070  
Pine Ridge, SD 57770  
(w/encl)

Omaha Tribe of Nebraska  
Chairman Donald Grant  
cc: John Penn, Assistant Chief of  
Tribal Operations  
P.O. Box 368  
Macy, NE 68039  
(w/encl)

Otoe-Missouria Tribe of Oklahoma  
Chairman James E. Grant  
Rt. 1, Box 62/8151  
Highway 177  
Red Rock, OK 74651  
(w/encl)

Northern Arapaho Tribe

Pawnee Nation of Oklahoma  
President George E. Howell

cc: Francis Morris, Repatriation Coordinator  
P.O. Box 470  
Pawnee, OK 74058  
(w/encl)

Rosebud Sioux Tribe  
President Charles Colombe  
cc: Terry Gray, Preservation Coordinator  
P.O. Box 430  
Rosebud, SD 57570  
(w/encl)

Santee Sioux Tribe of Nebraska  
Chairman Roger Trudell  
108 Spirit Lake Ave. West  
Niobrara, NE 68760  
(w/encl)

Sisseton Wahpeton Sioux Tribe  
Chairman James Crawford  
cc: Joe Williams  
P.O. Box 509  
Agency Village, SD 57262  
(w/encl)

Yankton Sioux Tribe  
Chairman Madonna Archambeau  
cc: William Weddell  
P.O. Box 248  
Marty, SD 57361  
(w/encl)

Sprit Lake Sioux Tribe  
Chairman Veletino White  
cc: Ambrose Littleghost, Cultural Resources  
Office  
P.O. Box 359

Fort Totten, ND 58335  
(w/encl)

Standing Rock Sioux Tribe  
Chairman Charles W. Murphy  
cc: Tim Mentz, THPO  
P.O. Box D  
Fort Yates, ND 58538  
(w/encl)

Minnesota Mdewakanton Sioux  
Chairman Ann Larsen  
cc: Bob Larsen, Council Member  
Community Center  
P.O. Box 308  
Morton, MN 56270-9801  
(w/encl)

Shakopee Mdewakanton Dakota  
Community  
Chairman Stanley Crooks  
2330 Sioux Trail N.W.  
Prior Lake, MN 55372  
(w/encl)

Prairie Island Dakota Community of  
Minnesota  
Attn: Chairman Audrey Bennett  
5636 Virgin Lake Rd.  
Welch, MN 55089

Prairie Island Dakota Community of  
Minnesota  
Attn: Chairman Audrey Bennett  
5636 Virgin Lake Rd.  
Welch, MN 55089  
(w/encl)

Kenney (W-6100), Pfaff (D-5300), Chada (NK-500), Coutant (GP-4200) (w/o enclosure)

Upper Sioux Community of Minnesota

Attn: chairman Helen M. Blue

P.O. Box 147

Granite Falls, MN 56241





# United States Department of the Interior

## BUREAU OF RECLAMATION & FISH AND WILDLIFE SERVICE

Platte River EIS Office

PO Box 25007

Denver, Colorado 80225-0007

303-445-2096

IN REPLY REFER TO:

PL-100

ENV-6.00

Chairman Clifford McKenzie  
Kiowa Tribe of Oklahoma  
P.O. Box 507  
Carnegie, OK 73015

MAR 13 2004

Subject: Extension of Public Comment Period on the Draft EIS

Dear Chairman McKenzie,

Your agency recently received copies of the Draft Environmental Impact Statement for the Platte River Recovery Implementation Program (DEIS). The notice of availability for the DEIS was published in the **Federal Register** on January 26, 2004 (69 FR 3600), with the public review and comment period originally scheduled to end April 2, 2004. It was the intent of the Bureau of Reclamation (Reclamation) that the comment period for the DEIS overlap with the release of the National Academy of Sciences (NAS) report, entitled, "Endangered and Threatened Species in the Platte River Basin" that was expected January 30, 2004. Because the NAS report has been significantly delayed, Reclamation is extending the review and comment period for the DEIS to June 2, 2004, to allow the public the opportunity to have both reports available during the DEIS review and comment period.

Please submit any comments you have on the DEIS to this office on or before June 2, 2004. Public hearings on the DEIS will be held during the month of May. Times and locations will be announced in the **Federal Register** and local media.

Written comments on, or requests for copies of, the DEIS should be addressed to the Platte River EIS Office (PL- 100), PO Box 25007, Denver, Colorado, 80225-0007, telephone 303-445-2096, or by sending an email to [platte@prs.usbr.gov](mailto:platte@prs.usbr.gov).

Sincerely,

**Curtis A. Brown**

Curt Brown  
Study Manager

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PL-100  
ADM-1.00

Winnebago Tribe  
Chairman John Blackhawk  
P O Box 687  
Winnebago, NE 68071-0687

Subject: Public Hearings

Dear Chairman Blackhawk,

Your tribe was identified as potentially having Indian trust asset and/or cultural resource concerns related to the Platte River Endangered Species Recovery Implementation Program (Program). Consequently, a letter was sent describing the Program, another informing you that a Draft Environmental Impact Statement (DEIS) was being prepared, and most recently, transmitting a copy of the DEIS for your review and comment (it is also accessible at <http://www.platteriver.org>). In continuation of the government to government consultation process, we would like to inform you that public hearings for the Program DEIS have been scheduled in several locations throughout Colorado, Nebraska, and Wyoming. Public hearing dates and locations are attached.

The public hearings provide an opportunity to present written or short oral testimony on the environmental impacts of the Program. All testimony will be addressed in the Final Environmental Impact Statement as part of the comment and response process. Oral comments at the hearings will be limited to 3-5 minutes. The hearing facilitator may allow any speaker to provide additional oral comments after all persons wishing to comment have been heard. Written comments from those unable to attend or who would like to supplement their oral presentations at the hearings should be sent to the Bureau of Reclamation, Platte River EIS Office (PL-100), PO Box 25007, Denver, Colorado, 80225-0007, telephone 303-445-2096, or by email to [platte@prs.usbr.gov](mailto:platte@prs.usbr.gov), by August 20, 2004.

Although we recognize that Indian tribes and nations are not the general public, we thought you may want to know that public hearings will be conducted. If you wish to notify us directly with any comments, questions, or concerns, please contact me at the above address or phone number.

Sincerely,

Curtis A. Brown  
Study Manager

Enclosure

cc: Winnebago Tribe  
David Smith, Historian  
P O Box 687  
Winnebago, NE 68071-0687

Colorado Historical Society  
Georgianna Contiguglia,  
State Historic Preservation Officer  
1300 Broadway  
Denver, Colorado 80203-2137

Nebraska State Historical Society  
Lawrence Sommer,  
State Historic Preservation Officer  
P.O. Box 82554  
1500 R Street  
Lincoln, NE 68501

Wyoming State Historical Preservation Office  
Richard Currit,  
State Historic Preservation Officer  
2301 Central Avenue, 3<sup>rd</sup> floor  
Cheyenne, WY 82002

Bureau of Indian Affairs  
Eastern Oklahoma Region  
Jeanette Hanna, Regional Director  
101 North 5<sup>th</sup> St.  
Muskogee, OK 74401-6206

Bureau of Indian Affairs  
Southern Plains Region  
Dan Deerinwater, Regional Director  
W.C.D. Office Complex  
P.O. Box 368  
Anadarko, OK 73005

Bureau of Indian Affairs  
Rocky Mountain Region  
Keith Beartusk, Regional Director  
316 N. 26<sup>th</sup> Street  
Billings, MT 59101

Bureau of Indian Affairs  
Great Plains Region  
William Benjamin, Acting Regional Director  
115 Fourth Ave., SE  
Aberdeen, SD 57401-4384

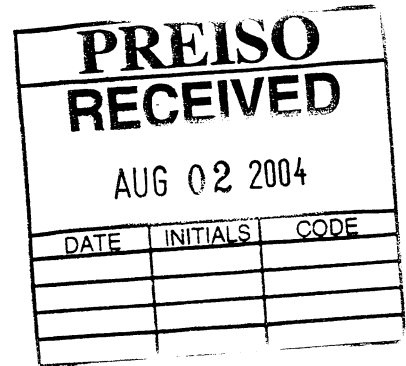
U.S. Fish and Wildlife Service  
David Redhorse, Regional Native American Liaison  
P.O. Box 25486-DFC  
Denver, CO 80228

bc: Kenney (W-6100), Pfaff (D-5300), Chada (NK-500), Coutant (GP-4200)  
Zontek (GP-1030)

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M:/Platte/DEIS Public Hearings/Ltr to Tribes Public Hearings.doc



# SOUTHERN UTE INDIAN TRIBE



July 21, 2004

Mr. Curtis A. Brown  
Study Manager  
Bureau of Reclamation & Fish & Wildlife Service  
PO Box 25007  
Denver, Colorado 80225

Re: Platt River Endangered Species Recovery Implementation Program

Dear Mr. Brown:

I have reviewed your letter regarding the Platte River Endangered Species Recovery Implementation Program. The Southern Ute Indian Tribe appreciates notification of the public hearing dates and locations.

Should you have any questions or require additional information, please do not hesitate to contact me at the number listed below, extension 2209.

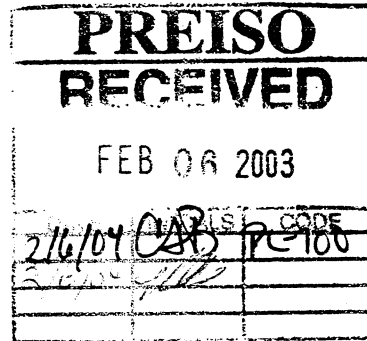
Sincerely,

Neil B. Cloud  
NAGPRA Coordinator

Cc: Howard D. Richards Sr., Chairman  
Southern Ute Indian Tribe



# SOUTHERN UTE INDIAN TRIBE



January 28, 2004

Attn: Ms. Redhorse  
BLM, Platte River EIS Office  
P O Box 25007  
Denver, CO 80225

Subject: Platte River Endangered Species Recovery Program

Dear Ms. Redhorse:

I have reviewed your letter of January 22, 2004, and, at this time, believe there are no known impacts to areas of Native American Cultural sites that are sensitive to this Tribe in regards to the proposed recovery program for the endangered species, also is the Beaver included. In the event of inadvertent discoveries of Native American sites, artifacts, of human remains, this Tribe would appreciate immediate notification of such findings.

Should you require additional comments or have any questions, feel free to contact me, at the number listed below, extension 2209.

Sincerely,

*Neil B. Cloud*

Neil B. Cloud  
NAGPRA Coordinator

Cc: Howard D. Richards Sr., Chairman  
Southern Ute Indian Tribe



United States Department of the Interior

## BUREAU OF RECLAMATION &amp; FISH AND WILDLIFE SERVICE

Platte River EIS Office

PO Box 25007

Denver, Colorado 80225-0007

303-445-2096

IN REPLY REFER TO:

PL-100

ENV-6.00

Wyoming State Preservation Office

Attn: Mr. Richard Currit, SHPO

2301 Central Avenue, 3<sup>rd</sup>. Floor

Cheyenne, WY 82002

Dear Mr. Currit,

The states of Nebraska, Wyoming, and Colorado, and the U.S. Department of the Interior have worked in partnership to develop a Platte River Endangered Species Recovery Program (Program). We have enclosed a copy of the Program Draft Environmental Impact Statement (DEIS), which is now being released to the public. The main goals of the Program, analyzed in the DEIS, are to:

- ▶ Improve and conserve habitat for four threatened and endangered species that use the Platte River in Nebraska: the whooping crane, piping plover, least tern, and pallid sturgeon.
- ▶ Enable existing and new water uses in the Platte River Basin to proceed without additional actions required beyond the Program for the four species under the Endangered Species Act.

The actions described in the DEIS focus on improving habitat in the Lexington to Chapman, Nebraska reach of the Central Platte River, referred to as the Habitat Area, by changing upstream reservoir operations and acquiring land. Habitat would be improved primarily by providing additional or modified river flows to and through the Habitat Area, and by managing, leasing, or acquiring up to 10,000 acres of appropriate lands (on a willing seller/lessor basis) in the Habitat Area.

In terms of cultural resources, Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended, includes consultation requirements that are defined in Federal regulations, 36 CFR Part 800. The regulations require that Federal agencies consult with numerous parties in identifying historic properties, determining their National Register eligibility, and considering how any proposed adverse effects to historic properties can be avoided or mitigated. Consulting parties include the appropriate State Historic Preservation Officer (SHPO) or the Tribal Historic Preservation Officer (THPO) when applicable, the Advisory Council on Historic Preservation,

SHPO Letter

[illegible]



United States Department of the Interior  
BUREAU OF RECLAMATION & FISH AND WILDLIFE SERVICE

Platte River EIS Office  
PO Box 25007  
Denver, Colorado 80225-0007  
303-445-2096

IN REPLY REFER TO:

PL-100  
ENV-6.00

Nebraska State Historical Society  
Attn: Mr. Lawrence Sommer, ShPO  
P.O. Box 82554  
1500 R Street  
Lincoln, NE 68501

Dear Mr. Sommer,

The states of Nebraska, Wyoming, and Colorado, and the U.S. Department of the Interior have worked in partnership to develop a Platte River Endangered Species Recovery Program (Program). We have enclosed a copy of the Program Draft Environmental Impact Statement (DEIS), which is now being released to the public. The main goals of the Program, analyzed in the DEIS, are to:

- ▶ Improve and conserve habitat for four threatened and endangered species that use the Platte River in Nebraska: the whooping crane, piping plover, least tern, and pallid sturgeon.
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United States Department of the Interior

## BUREAU OF RECLAMATION &amp; FISH AND WILDLIFE SERVICE

Platte River EIS Office

PO Box 25007

Denver, Colorado 80225-0007

303-445-2096

IN REPLY REFER TO:

PL-100

ENV-6.00

Colorado State Historical Society

Attn: Ms. Georgianna Contiguglia, SHPO

1300 Broadway

Denver, CO 80203

Dear Mr. Contiguglia,

The states of Nebraska, Wyoming, and Colorado, and the U.S. Department of the Interior have worked in partnership to develop a Platte River Endangered Species Recovery Program (Program). We have enclosed a copy of the Program Draft Environmental Impact Statement (DEIS), which is now being released to the public. The main goals of the Program, analyzed in the DEIS, are to:

- ▶ Improve and conserve habitat for four threatened and endangered species that use the Platte River in Nebraska: the whooping crane, piping plover, least tern, and pallid sturgeon.
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North Platte Reservoirs	Summary of Initial North Platte River Reservoir Survey File Search Findings				Classification
	Total Acres Subjected to Previous Class III Surveys	Sites Eligible for NRHP (or currently listed)	Sites Ineligible for NRHP	Sites Not Yet Evaluated	
Pathfinder Reservoir	1,602 acres	7 sites (5 are contributing elements of the Pathfinder Historic District)	15 sites	11 sites	Project
Alcova Reservoir	3,372 acres	2 sites	12 sites	research in progress	Control No.
Seminole Reservoir	530 acres	13 sites	10 sites	10 sites	Folder ID.
Glendo Reservoir	7,745 acres	39 sites	38 sites	12 sites	
Guernsey Reservoir	423 acres	16 sites	12 sites	6 sites	
Lake McConaughy	Only a small percentage of the shoreline around the reservoir has been surveyed and a number of archaeological sites were located. The dam has been determined eligible to the NRHP as a contributing feature to the Kingsley Dam Project.				

On-the-ground, class III surveys for other Areas of Potential Affect would be required in conjunction with more detailed planning of site-specific activities.

We would like to have any comments you may have by April 2, 2004. Please contact Rebecca Redhorse to further discuss any concerns you may have. Ms. Redhorse can be reached at (303) 445-2095, or via email at [redhorse@prs.usbr.gov](mailto:redhorse@prs.usbr.gov).

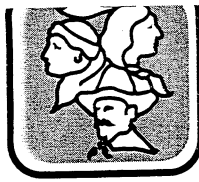
Sincerely,

Curtis A. Brown, Study Manager  
Platte River EIS Office

Cc: Kenney (W-6100), Pfaff (D-5300), Chada (NK-500), Coutant (GP-4200) (w/o encl.)

WBR:CABrown:ps:01/21/04:303/445-2096

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COLORADO  
HISTORICAL  
SOCIETY

PALLANTE	
RECEIVED	
FEB 26 2004	

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

February 10, 2004

Curtis A. Brown  
Study Manager  
Bureau of Reclamation & Fish and Wildlife Service  
Platte River EIS Office  
PO Box 25007  
Denver, Colorado 80225-0007

RE: Platte River Endangered Species Recovery Program-DEIS (CHS #42507)

Dear Mr. Brown,

- Thank you for your correspondence dated January 22, 2004 regarding the above-mentioned project.

Our office has reviewed the submitted information and concurs that class III surveys for the areas of potential affect would be required.

Our office advises that the Section 106 review process and the NEPA process be conducted at the same time. To avoid confusion and project delay, our office also advises that the Section 106 review process be completed before a finding of no significant impact (FONSI) or record of decision (ROD) is issued. Also, please note that an action that can be a categorical exclusion under NEPA may be required to be reviewed under the Section 106 review process.

If we may be of further assistance, please contact Amy Pallante, our Section 106 Compliance Coordinator, at (303) 866-4678.

Sincerely,

For Georgianna Contiguglia  
State Historic Preservation Officer