

# Attachment C – Tribal Consultation

- September 9, 2002, Reclamation letter to the Confederated Tribes of the Grand Ronde Community of Oregon
- September 18, 2002, Reclamation letter to the Confederated Tribes of the Siletz Indians
- September 18, 2002, Reclamation letter to the Cow Creek Band of the Umpqua Tribe of Indians
- September 20, 2002, Reclamation letter to the Klamath Tribes
- October 28, 2002, letter from The Confederated Tribes of the Grand Ronde Community of Oregon





IN REPLY  
REFER TO:

## United States Department of the Interior

BUREAU OF RECLAMATION  
Pacific Northwest Region  
1150 North Curtis Road, Suite 100  
Boise, Idaho 83706-1234

SEP 09 2002

PN-6511  
PRJ-26.00

Ms. Connie Schultz  
Cultural Protection Specialist  
The Confederated Tribes of the  
Grand Ronde Community of Oregon  
9615 Grand Ronde Road  
Grand Ronde OR 97347

Subject: Test Excavations, Tyler Creek Wasteway Access Road Right-of-Way

Dear Ms. Schultz:

The Bureau of Reclamation (Reclamation) operates Green Springs Powerplant, located about 8 miles southeast of Ashland, Oregon. When the plant is not in operation, the water that would otherwise have gone through the powerplant is diverted into a channel referred to as the Tyler Creek Wasteway. Several years ago, Reclamation purchased an easement across private lands to use as an access route to Tyler Creek Wasteway. Subsequently, three archeological sites (35JA492, JA493, and JA494) were recorded within the access Right-Of-Way (ROW). In May 2001, Reclamation awarded a contract to Heritage Research Associates (HRA) to complete test excavations at those three sites to determine if they were eligible to the National Register of Historic Places. Potentially interested tribes were informed of the proposed testing during the review period for the state permit. As part of the permit review process, you informed HRA that the Grand Ronde were interested in remaining informed about the testing outcome.

With this letter we would like to bring you up to date on actions since May. With this letter we also request your comment, pursuant to 36 CFR 800.4, on the eligibility of the sites to the National Register of Historic Places (Register).

In June, 2002, HRA completed the test excavations, working under state permit AP-477. The testing methodology and results are described in the enclosed report entitled "Evaluation of Three Archaeological Sites in the Tyler Creek Wasteway Access Easement, Jackson County, Oregon." As the sites are on private land, the test excavations were confined to the ROW corridor, which is a 60-foot wide easement. All discussions about site eligibility address only the portion of each site lying within that easement ROW. All three of the sites extend beyond the ROW.

*A Century of Water for the West*  
1902-2002

Concurrent with this letter, on September 5, 2002, Reclamation initiated consultations with the State Historic Preservation Office (SHPO) about the eligibility of the three sites to the Register. HRA has recommended that the portion of the three sites within the ROW be determined “not eligible” to the Register. Reclamation agrees with that assessment. The basis for that assessment is outlined below.

At site 35JA492, subsurface materials were largely confined to a very small area consistent with the surface artifact concentration, and all material was confined to the top 10 cm of soil. A projectile point mid-section was noted during survey, and was of a style commonly used during the last 2,200 years. No features were noted. Most of the cultural material found was unmodified flakes. The site appears to be a low-density surface artifact scatter with little potential to yield additional information.

Site 35JA493 is located on a small terrace, and may be the west edge of a larger site. Testing indicates that, at least within the ROW, the site is a rather sparse lithic scatter with most of the material confined to the surface and top 20 cm of soil. Only lithic debitage and two square nails were found. The site appears to have been plowed in the past. The site deposits within the ROW appear to have little potential to yield significant information that would increase our understanding of prehistoric life in the area or region. The two square nails do not appear to be associated with an identifiable early historic period feature within the ROW.

Site 35JA494 again appears to be a small section of what may be a larger site. Much is more cultural material, extending to a greater depth, was found at this site. However, again the material was essentially limited to unmodified lithic debitage; 236 flakes were recovered, one core, one biface fragment, and one animal bone fragment. There was no evidence of features, either prehistoric or historic period in origin. Also, the site appears to be rather disturbed within the ROW. Mottled soils were interpreted to mean that some leveling or soil redistribution had occurred at the site. This interpretation is supported by discovery of a glass fragment between 10 and 20 cm below surface and a button between 30 and 40 cm below surface. Although material density indicates that this site may have significant deposits outside of the ROW, it appears that deposits within the ROW have limited physical integrity and lack the kind and variety of materials that could provide significant new information about area history or prehistory.

For your information, Reclamation will make only limited modifications to make the ROW usable as an access route. Principally, we must place a culvert at the creek crossing and do some amount of bank cutting to allow passage across Schoolhouse Creek. This will occur within the ROW immediately south of 35JA493. Although the test excavations indicate the site is not eligible within the ROW, Reclamation will monitor initial soil excavation at that location to ensure immediate detection in the unlikely event of discovery of potentially significant subsurface deposits that were not revealed during test excavations. We do not anticipate any construction in the ROW across 35JA494, other than sinking several post holes to allow installation of a gate at the road. If any construction occurs in the vicinity of 35JA492 it is likely to be limited additional leveling of the existing old road track through that area. We will drive

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on the access road only under “fair weather” conditions; our easement agreement prohibits motorized access when the ground is soft. Therefore, we anticipate that our use of the access will not cause further damage to the landscape or the resources on that land.

If you have questions, please call Lynne MacDonald at (208) 378-5316 or contact her via e-mail at [lmacdonald@pn.usbr.gov](mailto:lmacdonald@pn.usbr.gov). Written comments can be addressed to Ms. MacDonald at the address on the letterhead. Thank you for your assistance.

Sincerely,

/s/ Kerry Whitford

Kerry Whitford  
Acting Manager, Ecosystems Analysis

Enclosure

bc: PN-3248 (Green)  
(w/o encl)

WBR:LMacDonald:ms:09-05-02:5316  
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IN REPLY  
REFER TO:

PN-6511  
PRJ-26.00

## United States Department of the Interior

BUREAU OF RECLAMATION  
Pacific Northwest Region  
1150 North Curtis Road, Suite 100  
Boise, Idaho 83706-1234

SEP 18 2002

Mr. Robert Kenta  
Cultural Resources Manager  
The Confederated Tribes of the  
Siletz Indians  
PO Box 549  
Siletz OR 97380

Subject: Test Excavations, Tyler Creek Wasteway Access Road Right-of-Way

Dear Mr. Kenta:

The Bureau of Reclamation (Reclamation) operates Green Springs Powerplant, located about 8 miles southeast of Ashland, Oregon. When the plant is not in operation, the water that would otherwise have gone through the powerplant is diverted into a channel referred to as the Tyler Creek Wasteway. Several years ago, Reclamation purchased an easement across private lands to use as an access route to Tyler Creek Wasteway. Subsequently, three archeological sites (35JA492, JA493, and JA494) were recorded within the access Right-Of-Way (ROW). In May 2001, Reclamation awarded a contract to Heritage Research Associates (HRA) to complete test excavations at those three sites to determine if they were eligible to the National Register of Historic Places. Potentially interested tribes were informed of the proposed testing during the review period for the state permit. This included the Siletz Tribes.

With this letter we would like to bring you up to date on actions since May. With this letter we also invite you to comment, pursuant to 36 CFR 800.4, on the eligibility of the sites to the National Register of Historic Places (Register).

In June, 2002, HRA completed the test excavations, working under state permit AP-477. The testing methodology and results are described in the enclosed report entitled "Evaluation of Three Archaeological Sites in the Tyler Creek Wasteway Access Easement, Jackson County, Oregon." As the sites are on private land, the test excavations were confined to the ROW corridor, which is a 60-foot wide easement. All discussions about site eligibility address only the portion of each site lying within that easement ROW. All three of the sites extend beyond the ROW.

A Century of Water for the West  
1902-2002

On September 9, 2002, Reclamation initiated consultations with the State Historic Preservation Office (SHPO) about the eligibility of the three sites to the Register. HRA has recommended that the portion of the three sites within the ROW be determined “not eligible” to the Register. Reclamation agrees with that assessment. The basis for that assessment is outlined below.

At site 35JA492, subsurface materials were largely confined to a very small area consistent with the surface artifact concentration, and all material was confined to the top 10 cm of soil. A projectile point mid-section was noted during survey, and was of a style commonly used during the last 2,200 years. No features were noted. Most of the cultural material found was unmodified flakes. The site appears to be a low-density surface artifact scatter with little potential to yield additional information.

Site 35JA493 is located on a small terrace, and may be the west edge of a larger site. Testing indicates that, at least within the ROW, the site is a rather sparse lithic scatter with most of the material confined to the surface and top 20 cm of soil. Only lithic debitage and two square nails were found. The site appears to have been plowed in the past. The site deposits within the ROW appear to have little potential to yield significant information that would increase our understanding of prehistoric life in the area or region. The two square nails do not appear to be associated with an identifiable early historic period feature within the ROW.

Site 35JA494 again appears to be a small section of what may be a larger site. Much more cultural material, extending to a greater depth, was found at this site. However, again the material was essentially limited to unmodified lithic debitage; 236 flakes were recovered, one core, one biface fragment, and one animal bone fragment. There was no evidence of features, either prehistoric or historic period in origin. Also, the site appears to be rather disturbed within the ROW. Mottled soils were interpreted to mean that some leveling or soil redistribution had occurred at the site. This interpretation is supported by discovery of a glass fragment between 10 and 20 cm below surface and a button between 30 and 40 cm below surface. Although material density indicates that this site may have significant deposits outside of the ROW, it appears that deposits within the ROW have limited physical integrity and lack the kind and variety of materials that could provide significant new information about area history or prehistory.


For your information, Reclamation will make only limited modifications to make the ROW usable as an access route. Principally, we must place a culvert at the creek crossing and do some amount of bank cutting to allow passage across Schoolhouse Creek. This will occur within the ROW immediately south of 35JA493. Although the test excavations indicate the site is not eligible within the ROW, Reclamation will monitor initial soil excavation at that location to ensure immediate detection in the unlikely event of discovery of potentially significant subsurface deposits that were not revealed during test excavations. We do not anticipate any construction in the ROW across 35JA494, other than sinking several post holes to allow installation of a gate at the road. If any construction occurs in the vicinity of 35JA492 it is likely to be limited additional leveling of the existing old road track through that area. We will drive on the access road only under “fair weather” conditions; our easement agreement prohibits



motorized access when the ground is soft. Therefore, we anticipate that our use of the access will not cause further damage to the landscape or the resources on that land.

If you have questions, please call Lynne MacDonald at (208) 378-5316 or contact her via e-mail at [lmacdonald@pn.usbr.gov](mailto:lmacdonald@pn.usbr.gov). Written comments can be addressed to Ms. MacDonald at the address on the letterhead. Thank you for your assistance.

Sincerely,

  
**ACTING FOR**  
Kerry Whitford  
Acting Manager, Ecosystems Analysis

Enclosure

bc: PN-3248 (Green)  
(w/o encl)

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*returned 10/4 undeliverable*

SEP 18 2002

PN-6511  
PRJ-26.00

Ms. Sherri Shaffer  
Cultural Resource Manager  
Cow Creek Band of the Umpqua  
Tribe of Indians  
2400 Stewart Parkway, Suite 300  
Roseburg OR 97470

Subject: Test Excavations, Tyler Creek Wasteway Access Road Right-of-Way

Dear Ms. Shaffer:

The Bureau of Reclamation (Reclamation) operates Green Springs Powerplant, located about 8 miles southeast of Ashland, Oregon. When the plant is not in operation, the water that would otherwise have gone through the powerplant is diverted into a channel referred to as the Tyler Creek Wasteway. Several years ago, Reclamation purchased an easement across private lands to use as an access route to Tyler Creek Wasteway. Subsequently, three archeological sites (35JA492, JA493, and JA494) were recorded within the access Right-Of-Way (ROW). In May 2001, Reclamation awarded a contract to Heritage Research Associates (HRA) to complete test excavations at those three sites to determine if they were eligible to the National Register of Historic Places. Potentially interested tribes were informed of the proposed testing during the review period for the state permit. The Cow Creek Band were contacted at that time.

With this letter we would like to bring you up to date on actions since May. With this letter we also invite you to comment, pursuant to 36 CFR 800.4, on the eligibility of the sites to the National Register of Historic Places (Register).

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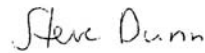
Site 35JA493 is located on a small terrace, and may be the west edge of a larger site. Testing indicates that, at least within the ROW, the site is a rather sparse lithic scatter with most of the material confined to the surface and top 20 cm of soil. Only lithic debitage and two square nails were found. The site appears to have been plowed in the past. The site deposits within the ROW appear to have little potential to yield significant information that would increase our understanding of prehistoric life in the area or region. The two square nails do not appear to be associated with an identifiable early historic period feature within the ROW.

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Sincerely,



for  
Kerry Whitford  
Acting Manager, Ecosystems Analysis

Enclosure

bc: PN-3248 (Green)  
(w/o encl)

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SEP 20 2002

PN-6511  
PRJ-26.00

Mr. Gerald Skelton  
Cultural Resource Protection Specialist  
The Klamath Tribes  
PO Box 436  
Chiloquin OR 97624

Subject: Test Excavations, Tyler Creek Wasteway Access Road Right-of-Way

Dear Mr. Skelton:

The Bureau of Reclamation (Reclamation) operates Green Springs Powerplant, located about 8 miles southeast of Ashland, Oregon. When the plant is not in operation, the water that would otherwise have gone through the powerplant is diverted into a channel referred to as the Tyler Creek Wasteway. Several years ago, Reclamation purchased an easement across private lands to use as an access route to Tyler Creek Wasteway. Subsequently, three archeological sites (35JA492, JA493, and JA494) were recorded within the access Right-Of-Way (ROW). In May 2001, Reclamation awarded a contract to Heritage Research Associates (HRA) to complete test excavations at those three sites to determine if they were eligible to the National Register of Historic Places. Potentially interested tribes were informed of the proposed testing during the review period for the state permit. The Klamath Tribes were contacted at that time.

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Sincerely,

*David Zimmer*  
**ACTING FOR**

Kerry Whitford  
Acting Manager, Ecosystems Analysis

Enclosure

bc: PN-3248 (Green)  
(w/o encl)

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The Confederated Tribes of the Grand Ronde Community of Oregon

Cultural Resources  
(503) 879-5211 • FAX (503) 879-2263  
1-800-422-0232

BUREAU OF RECLAMATION  
OFFICIAL FILE COPY

9615 Grand Ronde Road  
Grand Ronde, Oregon 9734

Umpqua • Molalla • Rogue River • Kalapuya • Chasta

01 31 02

October 28, 2002

Lynne MacDonald  
Bureau of Reclamation  
Pacific Northwest Region  
1150 North Curtis Road, Suite 100  
Boise, ID 83706-1234

| TO                | INIT | DATE  |
|-------------------|------|-------|
| 6511              | LM   | 10/31 |
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| CONTROL #: 2-6437 |      |       |
| FOLDER #: 7188-3  |      |       |

RE: Test Excavations, of Tyler Creek Wasteway Access Road Right-of-Way

Dear Ms. MacDonald:

The Cultural Resource Department has reviewed the report from Heritage Research Associates, No. 258, for the Tyler Creek Wasteway Access Road Right-of-Way.

It is noted that all three of the ROW sites are not recommended eligible for the NRHP due to the low density of artifacts, and previous soil disturbance. However, the Tribe considers these sites culturally significant, with a high possibility of an inadvertent discovery during any ground-disturbance.

The report from Heritage Research Associates does not indicate Tribal consultation in the event of an inadvertent discovery. However, should the project require any changes, or ground-disturbing activity not previously surveyed, or inadvertently discover cultural resources, the Tribe will request immediate notification. At such a time, the Tribe will reevaluate for inclusion in the NRHP.

If you have any questions, please contact me at 1-800-422-0232, ext. 2185.

Respectfully,

Connie Schultz,  
Cultural Protection Specialist

