

**OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION**

1725 23rd Street, Suite 100
SACRAMENTO, CA 95816-7100
(916) 445-7000 Fax: (916) 445-7053
calshpo@parks.ca.gov
www.ohp.parks.ca.gov



April 19, 2016

Reply to: EPA_2016_0304_001

Gary Scholze, Archaeologist
Division of Financial Assistance
State Water Resources Control Board
P. O. Box 100
Sacramento, California 95812-0100

RE: Request for Concurrence on Section 106 Compliance and a Finding of No Historic Properties Affected for the Pure Water Monterey Groundwater Replenishment Project; Monterey County, California; Clean Water State Revolving Fund (CWSRF) Project No. C-06-8028-110 (your letter of January 28, 2016)

Dear Mr. Scholze:

Thank you for requesting my comments on the above cited undertaking, in accordance with Section 106 of the *National Historic Preservation Act*, as amended. The Environmental Protection Agency (EPA) has delegated lead agency responsibility to the State Water Resources Control Board (Board) for carrying out the requirements of Section 106.

The Monterey Regional Water Pollution Control Agency (Agency) proposes to implement and construct the Pure Water Monterey Groundwater Replenishment Project (Project). Specifically, the proposed undertaking consists of the elements and actions that you have described in detail in Table 1 (Construction Area of Disturbance and Permanent Footprint) which is included in your letter. The area of potential effect (APE) encompasses the elements and actions described in Table 1, which are located in seven separate areas. Access to the APE will be via paved roads.

As documentation for your finding of effect, you provided a cultural resources survey report, which was prepared by Mary Doane and Dr. Gary S. Breschini (Archaeological Consulting, Salinas, CA), dated December 22, 2014 and revised April 10, 2015. On March 19, 2014, a records review was conducted at the Northwest Information Center at Sonoma State University, which identified: (1) two cultural resources (CA-MNT-494 and CA-MNT-2079H) as being located with the APE, and (2) that 95 previous cultural resource surveys had been conducted on portions of the APE or within a half-mile of the APE between 1974 and 2013. Consequently, those portions of the APE that had been surveyed previously were not resurveyed by Archaeological Consulting. However, they did conducted pedestrian surveys of the unsurvey portions of the APE on April 3 and 21, 2014 and in March 2015 with negative results.

CA-MNT-494 was recorded as a midden containing several burials (i.e., probably four burials) in 1973. Unfortunately, the site was discovered during the construction of an aeration lagoon that was constructed in 1972 as part of the Salinas Industrial Wastewater Treatment Facility. The site form described the condition of the site as "completely excavated by tractors and destroyed". CA-MNT-2079H was recorded in 1998 as a portion of a wooden fence that was described as "being in a state of disrepair". Both sites were resurveyed during the pedestrian survey, which was unable to relocate CA-MNT-494 and found that CA-MNT-2079H was rapidly deteriorating and several sections of the fence had fallen down.

Native American consultation included contacting the American Heritage Commission (NAHC) twice (on March 6, 2014 and December 24, 2014) and requested a record search of their sacred land file. The NAHC responded that their search did not indicate the presence of Native American cultural resources in the APE. On March 6, 2014, request for comment letters were sent to the 12 Native American contacts provided by NAHC, with subsequent telephone calls made to them in May of 2015. Two of the representatives suggested cultural resource sensitivity training for the construction crew members and two other representatives recommended that monitoring be conducted in proximity to cultural resources and/or sensitive areas. In the Agency's Final Environmental Impact Report for the project are the following two mitigation measures:

Mitigation Measure CR-2b – Discovery of Archaeological Resources or Human Remains

If archaeological resources or human remains are discovered, all work will cease within 160 feet of the find until it can be evaluated by a qualified archaeologist. The Agency and a qualified archaeologist are responsible for the compliance monitoring

Mitigation Measure CR-2c – Native American Notification

Because of their continuing interest in potential discoveries during construction, all listed Native American contacts shall be notified of any and all discoveries of archaeological resources in the project area.

Based on the records review, the cultural resource surveys, and the tribal consultation, the Board has concluded a Finding of No Historic Properties Affected is appropriate for this proposed undertaking and has requested my concurrence with that finding. The Agency will conduct the project in accordance with the mitigation measures described above. The Board has requested me to review and comment on their identification of the APE and their determination of No Historic Properties Affected for the project.

After reviewing the information submitted with your letter, I offer the following comments:

- I have no objections to your identification and delineation of the APE, pursuant to 36 CFR Parts 800.4(a)(1) and 800.16(d);
- I agree with the Agency's decision to conduct the proposed undertaking in accordance with the mitigation measures described above; and
- I do not object to your determination of No Historic Properties Affected for the proposed undertaking, as described above.

Be advised that under certain circumstances, such as an unanticipated discovery or a change in project description, you may have additional future responsibilities for this undertaking under 36 CFR Part 800. Should you encounter cultural artifacts during ground disturbing activities, please halt all work until a qualified archaeologist can be consulted on the nature and significance of such artifacts.

Thank you for seeking my comments and considering historic properties as part of your project planning. If you have any questions or concerns, please contact the following member of my staff: Tristan Tozer at (916) 445-7027 or via e-mail at Tristan.Tozer@parks.ca.gov.

Sincerely,



Julianne Polanco
State Historic Preservation Officer