

**COLUSA INDIAN COMMUNITY COUNCIL  
CACHIL DEHE BAND OF WINTUN INDIANS**

January 3, 2017

James C. Watson, P.E.  
General Manager  
Sites Joint Powers Authority  
PO Box 517  
Maxwell, CA 95955

**Subject: California Environmental Quality Act Public Resources Code section 21080.3, subdivision. (b) Request for Formal Notification of Proposed Projects within the Cachil Dehe Band of Wintun Indian Tribe's Geographic Area of Traditional and Cultural Affiliation**

Dear Mr. Watson:

As of the date of this letter, in accordance with Public Resources Code Section 21080.3.1, subdivision. (b), the Cachil Dehe Band of Wintun Indians for which the Colusa Indian Community Council (CICC) is the governing body, which is traditionally and culturally affiliated with a geographic area within the Sites Joint Powers Authority's geographic area of jurisdiction, requests formal notice of and information on proposed projects for which your agency will serve as a lead agency under the California Environmental Quality Act (CEQA), Public Resources Code section 21000 et seq.

Pursuant to Public Resources Code section 21080.3.1, subdivision. (b), and until further notice, we hereby designate the following person as the tribe's lead contact person for purposes of receiving notices of proposed projects from your agency:

Oscar Serrano, P.E.  
Principal Engineer  
3730 Highway 45  
Colusa, CA 95932  
(530) 458-8231 (office)  
(530) 682-5412 (cell)  
[oserrano@colusa-nsn.gov](mailto:oserrano@colusa-nsn.gov)

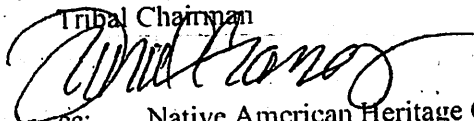
We request that all notices be sent via certified U.S. Mail with return receipt. Following receipt and review of the information your agency provides, within the 30-day period proscribed by Public Resources Code section 21080.3.1, subdivision. (d), the CICC may request consultation, as defined by Public Resources Code section 21080.3.1, subdivision. (b), pursuant to Public

Resources Code section 21080.3.2 to mitigate any project impacts a specific project may cause to tribal cultural resources.

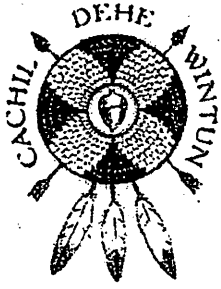
If you have any questions or need additional information, please contact our lead contact person listed above.

Respectfully,

Daniel Gomez  
Tribal Chairman



cc: Native American Heritage Commission  
Ms. Anecita Agustinez, Tribal Policy Advisor, Department of Water Resources  
Mr. Bill Croyle, Acting Director, Department of Water Resources  
Ms. Cynthia Gomez, Executive Secretary, Native American Heritage Commission  
Mr. Jeff Keohane, Associate, Forman & Associates  
Mr. Oscar Serrano, Senior Engineer, CICC



**COLUSA INDIAN COMMUNITY COUNCIL  
CACHIL DEHE BAND OF WINTUN INDIANS**

February 6, 2017

Kim Dolbow Vann  
Chair  
Sites Joint Powers Authority  
PO Box 517  
Maxwell, CA 95955

**Subject: Formal Request for Tribal Consultation Pursuant to the California Environmental Quality Act (CEQA), Public Resources Code Section 21080.3, subdivisions (b), (d) and (e) for the Sites Reservoir Project, Colusa County**

Dear Chair Dolbow Vann and Authority Board Members:

This letter constitutes a formal request for tribal consultation under the provisions of the California Environmental Quality Act (CEQA) (Public Resources Code section 21080.3.1 subdivisions (b), (d) and (e)) for the mitigation of potential project impacts to tribal cultural resources for the above referenced project. The Colusa Indian Community Council requested formal notice and information for all projects within your agency's geographical jurisdiction on January 3, 2017 and received notification on January 31, 2017 regarding the above referenced project.

The Colusa Indian Community Council (CICC) requests consultation on the following topics checked below, which shall be included in consultation if requested (Public Resources Code section 21080.3.2, subdivision (a)):

- Alternatives to the project
- Recommended mitigation measures
- Significant effects of the project

The CICC also requests consultation on the following discretionary topics checked below (Public Resources Code section 21080.3.2, subdivision (a)):

- Type of environmental review necessary
- Significance of tribal cultural resources, including any regulations, policies or standards used by your agency to determine significance of tribal cultural resources
- Significance of the project's impacts on tribal cultural resources

X Project alternatives and/or appropriate measures for preservation or mitigation that we may recommend, including, but not limited to:

1. Avoidance and preservation of the resources in place, pursuant to Public Resources Code section 21084.3, including, but not limited to, planning and construction to avoid the resources and protect the cultural and natural context, or planning greenspace, parks or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
2. Treating the resources with culturally appropriate dignity taking into account the tribal cultural values and meaning of the resources, including but not limited to the following:
  - a) Protecting the cultural character and integrity of the resource;
  - b) Protecting the traditional use of the resource; and
  - c) Protecting the confidentiality of the resource.
3. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
4. Protecting the resource.

Additionally, the CICC would like to receive any cultural resources assessments or other assessments that have been completed on all or part of the project's potential "area of project effect" (APE), including, but not limited to:

1. The results of any record search that may have been conducted at an Information Center of the California Historical Resources Information System (CHRIS), including, but not limited to:
  - a) A listing of any and all known cultural resources that have already been recorded on or adjacent to the APE;
  - b) Copies of any and all cultural resource records and study reports that may have been provided by the Information Center as part of the records search response;
  - c) If the probability is low, moderate, or high that cultural resources are located in the APE;
  - d) Whether the records search indicates a low, moderate or high probability that unrecorded cultural resources are located in the potential APE; and
  - e) If a survey is recommended by the Information Center to determine whether previously unrecorded cultural resources are present.
2. The results of any archaeological inventory survey that was conducted, including:
  - Any report that may contain site forms, site significance, and suggested mitigation measures.
  - All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure in accordance with Government Code Section 6254.10.
3. The results of any Sacred Lands File (SFL) check conducted through Native American Heritage Commission. The request form can be found at <http://naahc.ca.gov/wp-content/uploads/2015/04/Sacred-Lands-File-NA-Contact-Form.pdf>. USGS 7.5-minute quadrangle name, township, range, and section are required for the search.

4. Any ethnographic studies conducted for any area including all or part of the potential APE; and
5. Any geotechnical reports regarding all or part of the potential APE.

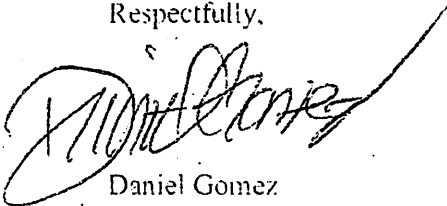
We would like to remind your agency that CEQA Guidelines section 15126.4, subdivision (b) (3) states that preservation in place is the preferred manner of mitigating impacts to archaeological sites. Section 15126.4, subdivision (b) (3) of the CEQA Guidelines has been interpreted by the California Court of Appeal to mean that "feasible preservation in place must be adopted to mitigate impacts to historical resources of an archaeological nature unless the lead agency determines that another form of mitigation is available and provides superior mitigation of impacts." *Madera Oversight Coalition v. County of Madera* (2011) 199 Cal.App.4th 48. disapproved on other grounds, *Neighbors for Smart Rail v. Exposition Metro Line Construction Authority* (2013) 57 Cal.4th 439.

The CICC expects to begin consultation within 30 days of your receipt of this letter.

Please contact the CICC's lead contact person identified below:

Oscar Serrano, P.E.  
Principal Engineer  
3730 Highway 45  
Colusa, CA 95932  
(530) 458-8231 (office)  
[oserrano@colusa-nsn.gov](mailto:oserrano@colusa-nsn.gov)

Respectfully,



Daniel Gomez  
Tribal Chairman

cc: Native American Heritage Commission  
Mr. Jeff Keohane, Associate, Forman & Associates  
Mr. Oscar Serrano, Principal Engineer, CICC  
Mr. Jim Watson, Sites Project Authority



February 10, 2017

Mr. Oscar Serrano, P.E.  
Principal Engineer  
Colusa Indian Community Council  
3730 Highway 45  
Colusa, CA 95932

**From:** Kim Dolbow Vann/ Sites Project Authority Board Chair

**Subject:** Tribal Cultural Resources under the California Environmental Quality Act, AB 52 (Gatto, 2014). Formal Notification of Decision to Consider Undertaking a Project, and Notification of Consultation Opportunity for the Sites Reservoir Project, Colusa and Glenn Counties, California, pursuant to Public Resources Code § 21080.3.1

Dear Mr. Serrano,

The Sites Project Authority has decided to consider undertaking the following project: the Sites Reservoir Project. Below please find a description of the proposed project, the project's location, and the name of our project point of contact, pursuant to Public Resources Code § 21080.3.1(d).

**Description of the Proposed Project**

The Sites Project Authority proposes to construct the Sites Reservoir Project, which includes a new off-stream storage reservoir with a capacity of up to 1.9 million acre feet, located in Colusa and Glenn counties, California, about 10 miles west of the town of Maxwell. The new reservoir would be in Antelope Valley, on the eastern edge of the North Coast Ranges. The Sites Reservoir Project is proposed to provide storage and operational benefits for water quality and other programs throughout California. For more information regarding the proposed project, please see the attached Notice of Preparation.

**Project Location**

Please see the attached map showing the project's location.

**Lead Agency Point of Contact**

Jim Watson, General Manager  
Sites Project Authority  
P.O. Box 517  
Maxwell, CA 95955



P.O. Box 517  
Maxwell, CA 95955  
530.438.2309

Phone: (530) 438-2309

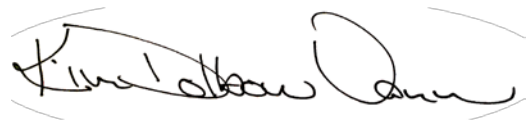
Email: [jwatson@sitesproject.org](mailto:jwatson@sitesproject.org)

Pursuant to PRC § 21080.3.1 (b), you have 30 days from the receipt of this letter to request consultation, in writing, with the Sites Project Authority. If you wish to request consultation, or if you have any questions, please contact me at the above address.

If consultation is requested, please provide the name and contact information of the designated lead contact person as part of your request. The Sites Project Authority will contact the designated person to set a meeting date to begin consultation within 30 days of our receipt of your request.

Thank you for giving this matter your prompt attention.

Sincerely,

A handwritten signature in black ink, appearing to read "Kim Dolbow Vann". The signature is written in a cursive style with a large, prominent "V" at the end.

Kim Dolbow Vann  
Sites Project Authority



March 6, 2017

Daniel Gomez  
Tribal Chairman  
Colusa Indian Community Council  
3730 Highway 45  
Colusa, CA 95932

**Subject:** Response to Colusa Indian Community Council's Request for Consultation for the Sites Reservoir Project, Colusa and Glenn Counties, California, pursuant to Public Resources Code § 21080.3.1

Dear Chairman Gomez,

The Sites Project Authority welcomes the opportunity to work with our neighbors and better understand important cultural resources from the perspective of the Colusa Indian Community Council. This letter is written in response to your letter requesting consultation with the Sites Project Authority (Authority) on the Sites Reservoir Project (Project) in accordance with Public Resources Code Section 21080.3.

As requested in your letter, consistent with the requirements of Public Resources Code Section 21080.3.1 *et seq.*, Jim Watson, Authority General Manager, has been designated to initiate consultations on behalf of the Authority. Mr Watson will be contacting Mr. Oscar Serrano to set up an initial meeting to discuss your tribe's concerns and address the issues and topics raised in your letter.

Thank you and we look forward to meeting with you soon.

Sincerely,

A stylized, blue, lowercase letter 'i' with a dot above it, serving as a signature or branding element.

Kim Dolbow Vann  
Chair, Sites Project Authority

Cc: Jim Watson, P.E., Sites Project Authority  
Oscar Serrano, P.E., CICC



P.O. Box 517  
Maxwell, CA 95955  
530.438.2309





February 15, 2019

Mr. Daniel Gomez  
Tribal Chairman  
Colusa Indian Community Council  
3730 Highway 45  
Colusa, CA 95932

**Subject:** Formal Notification pursuant to Assembly Bill 52 (Public Resources Code 21080.3.1) for the proposed Sites Geotechnical Field Investigations

Dear Honorable Chairperson Gomez,

This letter is a formal invitation to the Colusa Indian Community Council to consult with the Authority regarding the proposed Sites Geotechnical Field Investigations (Project) under Assembly Bill 52 (AB 52), pursuant to Public Resources Code (PRC) § 21080.3.1, concerning Tribal Cultural Resources. This Project is undergoing environmental review separately from the overall Sites Project, on which you are already consulting.

The Sites Project Authority (Authority) is initiating environmental review under the California Environmental Quality Act (CEQA) for geologic, geotechnical, and geophysical exploration and testing needed to support the design of the proposed Sites Project. The Authority is the lead agency under the CEQA for both this Project and the Sites Project.

From our letter of April 2017, the proposed Sites Project would be an approximately 1.8 million acre-foot off-stream storage reservoir and associated water management facilities near the town of Maxwell in Colusa and Glenn Counties in the Sacramento Valley in Northern California. Figure 1, attached, shows the location and the approximate areas where explorations and testing could occur. The specific locations of explorations and testing activities would occur within the broad areas within the locations identified. The exact locations, equipment used and other details are not known at this time. These details are likely to be further adjusted to reduce or avoid environmentally and culturally sensitive areas. Exploration and testing activities will not occur on privately held lands until access to the land has been obtained. The field sample collection and testing activities would begin in the second half of 2019.

Tribal Cultural Resources, as defined under PRC § 21074, include sites, features, cultural landscapes, sacred places, and objects with cultural value to a California Native American Tribe. The Authority intends to prepare a CEQA initial study/mitigated negative declaration (combined with a National Environmental Policy Act environmental assessment) for this proposed Project, unless information indicating impacts on cultural resources comes to light through the consultation process.



P.O. Box 517  
Maxwell, CA 95955  
530.438.2309

We appreciate your assistance to date in cultural resource consultations under AB 52 and other state and federal legal provisions. In order to verify that all potential resources of concern to Native American communities are identified and considered in the planning and implementation of the proposed Project, we respectfully request any information you can provide on the location and nature of Tribal Cultural Resources that may be found within or immediately adjacent to the project area. Specifically, we seek your input on the following types of resources so that we may avoid or protect them to the maximum extent possible.

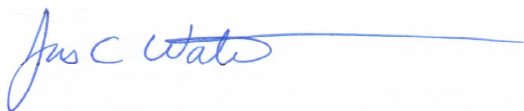
- Prehistoric archaeological sites and features
- Sacred lands or locations that are important in Native American culture
- Places that the Native American community continues to use for ongoing cultural practices
- Historic-era resources.

We understand that the locations of these resources are sensitive. Resource locations will not be disclosed in public documents and will be kept confidential as provided for under California Government Code § 6254.10.

If you would like to participate in formal AB 52 consultation concerning the proposed project, please notify me in writing within 30 calendar days of the receipt of this formal notice. After we receive your written request, we will contact you within 30 calendar days to begin consultation.

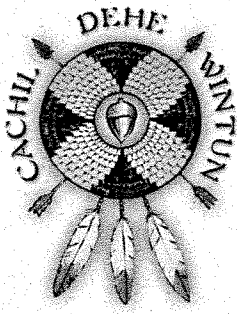
If the Tribe notifies the Authority in writing that the project does not involve any Tribal Cultural Resources of concern, then consultation under AB 52 will be considered concluded. If the Authority does not receive a written request to consult within 30 calendar days, we will assume the Tribe declines the invitation to formally consult under AB 52. However, the Authority is committed to working with you to properly account for and manage resources important to the Colusa Indian Community Council, and we welcome any recommendations regarding appropriate management or treatment of resources that occur within the project area. This notification does not limit the ability of the Tribe to submit information to the Authority (PRC § 21080.3.2(c)(1)). If you have any questions regarding this invitation or the AB 52 process, please contact me, or in my absence contact Rob Thomson at 805-689-5854.

Sincerely,



Jim Watson  
General Manager, Sites Project Authority

Cc: Oscar Serrano, P.E., CICC  
Attachment



COLUSA INDIAN COMMUNITY COUNCIL  
CACHIL DEHE BAND OF WINTUN INDIANS

RECEIVED

MAR 04 2019

SITES PROJECT AUTHORITY

February 26, 2019

Jim Watson  
General Manager  
Sites Project Authority  
P.O. Box 517  
Maxwell, CA 95955

RE: Tribal Consultation for the proposed Sites Geotechnical Field Investigations

Dear Mr. Watson:

Thank you for the notification dated February 15, 2019 and received February 19, 2019 regarding cultural information on or near the proposed Sites Geotechnical Field Investigations in Colusa County. We appreciate your effort to contact us and wish to respond.

Based on the review of the proposed project by the Tribe's Cultural Preservation Department, the Tribe has concerns that the project could impact archaeological/cultural sites and are requesting Tribal Consultation. The Cachil Dehe Band of Wintun Indians of the Colusa Indian Community (CICC) highly recommends including cultural monitors during development or ground disturbing activity, including backhoe trenching and excavations. Please refer to the attached Fee Schedule.

To set up a consultation meeting and a monitoring agreement, please contact:

Samaurii Coleman  
Executive Affairs Manager  
Office: (530) 458-8231  
Email: [scoleman@colusa-nsn.gov](mailto:scoleman@colusa-nsn.gov)

Please refer to identification number CICC-021919-01 in any correspondence concerning this project. The CICC expects to begin consultation on this project within 30 days of your receipt of this letter. Please provide our Cultural Preservation Department with a project timeline, detailed project information and the latest cultural study for the proposed project.

Sincerely,

Clifford Mota  
Cultural Preservation Liaison

## Fee Schedule

The fee schedule below is a listing of fees used to pay the Cultural Preservation Liaison and the Cultural Preservation Monitor fees, or other consultants. This listing of fee maximums is used to reimburse the Cultural Preservation Liaison and/or other Service provider(s) on a fee-for-service basis.

“Executive Order 13175 – Consultation and Coordination with Indian Tribal Governments:

Section 5 (b): To the extent practicable and permitted by law, no agency shall promulgate any regulation that has tribal implication, that imposes substantial direct compliance costs on Indian tribal governments, and that is not required by statute, unless: (1) funds necessary to pay the direct costs incurred by the Indian tribal government of the tribe in complying with the regulation are provided by the federal government.”

Services provided by the Cachil Dehe Band of Wintun Indians of the Colusa Indian Community’s Cultural Preservation Department:

Tribal Record Search	\$400.00
Tribal Record Search + Site Visit	\$450.00 (Plus travel expenses)
Cultural Preservation Liaison	\$200.00 (per hour)
Cultural Preservation Monitor (4 hour minimum)	\$75.00 (per hour)

Time is billed in increments of 15 minutes. Cachil Dehe’s monitors will bill for time spent traveling to and from any Project site. In addition, Cachil Dehe shall be reimbursed for all costs associated with travel to and from the Project. Eligible items for cost-reimbursement shall include, but not be limited to, mileage (or fuel purchases, at the submitter’s election), hotel, and per diem (GSA rate).

Cultural preservation monitor crew size to be determined by the Cultural Preservation Liaison, in accordance with Cachil Dehe Band of Wintun Indians of the Colusa Indian Community Cultural Law.

Payments should be made to:

Cachil Dehe Band of Wintun Indians of the Colusa Indian Community  
Department of Cultural Preservation  
3730 Highway 45, Colusa, CA 95932

Please contact the following individual if you have any questions or concerns:

Clifford Mota  
Cultural Preservation Liaison  
Office: (530) 458-8231  
Email: [cmota@colusa-nsn.gov](mailto:cmota@colusa-nsn.gov)

cc: Samaurrii Coleman, Executive Affairs Manager, CICC  
Oscar Serrano, Principal Engineer, CICC



November 13, 2020

Mr. Daniel Gomez, Chairperson  
Colusa Indian Community Council  
3730 Highway 45  
Colusa, CA 95932

**From:** Fritz Durst/ Sites Project Authority Board Chair

**Subject:** Tribal Cultural Resources under the California Environmental Quality Act, Assembly Bill (AB) 52. Formal Notification of the Preferred Project for the Purposes of the California Environmental Quality Act (CEQA) Analysis and Notification of Consultation Opportunity for the Sites Reservoir Project, Colusa, Tehama, Glenn, and Yolo Counties, California, pursuant to Public Resources Code § 21080.3.1

Dear Honorable Chairperson Gomez,

The Sites Project Authority (Authority) initially contacted your tribe in February 2017 in compliance with the project notification requirements pursuant to Public Resources Code § 21080.3.1(d) for the Sites Reservoir Project. A Draft Environmental Impact Report (EIR) was published for public review in August 2017. After receipt of public comments on the Draft EIR, the Authority reconsidered elements of the project. In October 2019, representatives from both the Authority Board and Reservoir Committee began undertaking a “value planning” process, an effort to identify and evaluate additional alternatives. As a result of the the “value planning process,” the Authority identified a project that reduced the size of the proposed Sites Reservoir from 1.8 million acre feet to 1.5 million acre feet, removed the Delevan Pipeline and associated facilities, and made minor adjustments to other project features.

On April 22, 2020, the Authority directed staff to revise and recirculate a Draft EIR consistent with the California Environmental Quality Act (CEQA) to analyze the environmental effects of the facility options identified in the Sites Project Value Planning Report.<sup>1</sup> The Revised Draft EIR is anticipated to be released for public review in the summer of 2021. In response to preparing the Revised Draft EIR, the Authority is providing you with a description of the revised project for your consideration pursuant to Public Resources Code § 21080.3.1(d).

### **Description of the Proposed Project**

The Authority proposes to construct the revised Sites Reservoir Project, which includes a new off-stream storage reservoir and associated water conveyance facilities located in Colusa, Tehama, Glenn, and Yolo counties, California. The new reservoir would be located in Antelope Valley, on the eastern edge of the North Coast Ranges and approximately 10 miles west of the town of Maxwell.

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<sup>1</sup> [https://3hm5en24txyp2e4cxyxaklbs-wpengine.netdna-ssl.com/wp-content/uploads/2019/11/02-01.a-Authority-Board\\_Value-Planning.pdf](https://3hm5en24txyp2e4cxyxaklbs-wpengine.netdna-ssl.com/wp-content/uploads/2019/11/02-01.a-Authority-Board_Value-Planning.pdf)



The Sites Reservoir Project is proposed to provide storage and operational benefits including water supply resiliency, water dedicated to environmental uses, and other programs throughout California.

Two alternatives (Alternative 1 and Alternative 2) are currently under consideration. The primary differences in the alternatives is that Alternative 1 will impound up to 1.5 million acre feet of water and discharge water into the Colusa Drain, via the Tehama Colusa Canal, in the vicinity of Dunnigan, Yolo County. In contrast, Alternative 2 will hold up to 1.3 million acre feet of water and discharge water via the Tehama Colusa Canal into the Sacramento River; again, in the vicinity of Dunnigan. Alternative 1 also includes a bridge to extend the Sites Lodoga Road directly across the reservoir, while Alternative 2 re-routes the road around the south end of the reservoir and continues to Lodoga along the west side of the reservoir. Alternative 1 was designated by the Authority as the preferred project for the purposes of the CEQA analysis and permit development on September 17, 2020.

For more information regarding the proposed project alternatives, please see the attached Preliminary Project Description.

Pursuant to PRC § 21080.3.1 (b), please respond, in writing, within 30 days if you wish to request consultation. If you have any questions or wish to consult on this project, please contact the Authority's Lead Agency Point of Contact for AB 52 consultations:

Kevin Spesert, External Affairs Manager  
Sites Project Authority  
P.O. Box 517  
Maxwell, CA 95955  
Phone: (530) 632-4071  
Email: [kspesert@sitesproject.org](mailto:kspesert@sitesproject.org)

If consultation is requested, please provide the name and contact information of the designated lead contact person as part of your request. The Authority will contact the designated person to set a meeting date to begin consultation within 30 days of our receipt of your request.

Thank you for giving this matter your prompt attention.

Sincerely,



Fritz Durst  
Sites Project Authority



Janis Offermann <[jaoffermann@montrose-env.com](mailto:jaoffermann@montrose-env.com)>

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## RE: AB 52 Consultation

2 messages

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**Kevin Spesert** <[kspesert@sitesproject.org](mailto:kspesert@sitesproject.org)>

Tue, Dec 8, 2020 at 9:22 AM

To: Molly West <[mwest@colusa-nsn.gov](mailto:mwest@colusa-nsn.gov)>, Hazel Longmire <[hlongmire@colusa-nsn.gov](mailto:hlongmire@colusa-nsn.gov)>

Cc: Laurie Warner Herson <[laurie.warner.herson@phenixenv.com](mailto:laurie.warner.herson@phenixenv.com)>, Janis Offermann <[janis@horizonh2o.com](mailto:janis@horizonh2o.com)>, Alicia Forsythe <[aforsythe@sitesproject.org](mailto:aforsythe@sitesproject.org)>

Good Morning Ms. West,

Thank you for your response. We look forward to continue working with the CICC on the Sites Reservoir Project.

Please feel free to give me a call if you have any questions on my cell at (530) 632-4071

Thanks!

Kevin

## Kevin Spesert

External Affairs Manager

Sites Project Authority

Phone: 530.632.4071

Email: [kspesert@sitesproject.org](mailto:kspesert@sitesproject.org)

Web: [www.SitesProject.org](http://www.SitesProject.org)

P.O. Box 517

122 Old Hwy 99W  
Maxwell, CA 95955

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**From:** Molly West <[mwest@colusa-nsn.gov](mailto:mwest@colusa-nsn.gov)>  
**Sent:** Monday, December 7, 2020 2:55 PM  
**To:** Kevin Spesert <[kspesert@sitesproject.org](mailto:kspesert@sitesproject.org)>  
**Cc:** Hazel Longmire <[hlongmire@colusa-nsn.gov](mailto:hlongmire@colusa-nsn.gov)>  
**Subject:** AB 52 Consultation

**EXTERNAL MESSAGE:** Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Good Afternoon Mr. Spesert,

Colusa Indian Community Council (CICC) would like to request to continue consultation on the Sites project.

Please contact myself and Hazel Longmire ([hlongmire@colusa-nsn.gov](mailto:hlongmire@colusa-nsn.gov)) on all future correspondence.

Thank you,

*Molly West*

Tribal Project Administrator

Colusa Indian Community Council

3730 Hwy 45

Colusa, CA 95932

Phone (530) 458-8231

Fax (530) 458-3866

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February 7, 2022

Mr. Daniel Gomez, Tribal Chairman  
Colusa Indian Community Council  
3730 Highway 45  
Colusa, CA 95932

**Subject:** Formal Notification of Consultation Opportunity pursuant to Assembly Bill 52 (Public Resources Code § 21080.3.1) for the proposed Sites Geotechnical Investigations; Sites Reservoir Project in Glenn, Colusa, and Yolo Counties, California.

Dear Honorable Chairman Gomez,

This letter is a formal invitation to the Colusa Indian Community Council to consult with the Sites Project Authority (Authority) regarding the proposed Sites Geotechnical Investigations (Proposed Project) under Assembly Bill 52 (AB 52), pursuant to Public Resources Code (PRC) § 21080.3.1, concerning Tribal Cultural Resources. The Proposed Project is undergoing environmental review under the California Environmental Quality Act (CEQA) for geologic, geotechnical, and geophysical exploration and testing needed to support the design of the proposed Sites Reservoir Project.<sup>1</sup> The proposed Sites Reservoir Project would be an approximately 1.5 million acre-foot off-stream storage reservoir with associated facilities located in Colusa, Tehama, Glenn, and Yolo Counties, California. The Authority is the lead agency under CEQA for both this Proposed Project and the Sites Reservoir Project.

Proposed Project Description

At this time, the Bureau of Reclamation (Reclamation) and the Authority are proposing additional geotechnical and geophysical investigations in Glenn, Colusa, and Yolo Counties to further inform the design and construction of the proposed Sites Reservoir and its associated facilities. The proposed work includes geologic, geotechnical, and geophysical investigations that would be implemented in various locations near Funks Reservoir in Colusa and Glenn Counties within the proposed Sites Reservoir inundation area and south of Dunnigan in Yolo County along the proposed Dunnigan Pipeline. Figure 1, attached, shows the Proposed Project location and the approximate areas where explorations and testing could occur, identified as the Action Area. The Action Area vicinity includes grasslands, oak woodlands, wetlands, drainages, croplands, a reservoir, dirt roads where specific access is granted by the current landowner, and developed roads, including existing county right-of-ways. The specific locations of explorations and testing activities would occur within the Action Area. Exploration and testing activities will not occur on privately held lands until access to the land has been obtained.

Geologic mapping surveys are needed to map the existing geology of the proposed inundation area, proposed conveyance facilities, and roads and would be performed on foot within areas immediately

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<sup>1</sup> Consultation and environmental review for the Proposed Project is separate from the Sites Reservoir Project, for which the Colusa Indian Community Council and the Authority are already consulting, and is also a separate effort from the Geotechnical Field Investigations on which the Authority and the Colusa Indian Community Council have consulted in 2019 and 2020.



P.O. Box 517  
Maxwell, CA 95955  
530.438.2309

surrounding Funks Reservoir and lands between the existing reservoir and the proposed Sites Reservoir inundation area including lands south of Hunters Creek, east and south of Funks Creek, adjacent to Maxwell Sites Road, and throughout the proposed Dunnigan Pipeline corridor. The geotechnical investigations would include up to 70 pavement cores, 258 augers and borings, and 33 cone penetration test probes throughout the proposed Sites Reservoir inundation area and associated conveyance facilities in Glenn and Yolo Counties. In addition, approximately 70 piezometers/wells are proposed at select auger or boring locations. The geophysical surveys would be comprised of up to 100 transect lines in portions of the Proposed Project area within the Sites Reservoir inundation area in Glenn and Colusa counties. Up to 16 geologic pedestrian surveys are also proposed. in the Action Area. With the exception of subsurface geotechnical investigations (i.e., borings), much of the proposed field work would be minimally invasive. Equipment, vehicles, and materials would be temporarily staged at each work area. Investigation areas would be returned to existing conditions upon completion of activities. The anticipated number and types of geotechnical investigations are listed in Table 1 along with anticipated depth of disturbance.

**Table 1. Investigation Type and Approximate Number with Depth of Disturbance**

Investigation Type	Approximate Number of Investigations	Depth of Disturbance
Pavement Cores	70	3 feet below grade
Augers and Borings	258	Varying from 20 to 550 feet below grades
Cone penetration test probes	33	70 to 90 feet below grades
Piezometers/wells	70	Varying from 50 to 350 feet below grades
Geologic mapping surveys	16	Non-invasive
Geophysics survey at each investigation point	348	Non-invasive

The proposed geotechnical sample collection and testing activities are scheduled to occur between June 2022 and December 2024. Tribal monitors will be invited to be present during Geotechnical Investigations and archaeological monitors will be present during Geotechnical Investigations.

Consultation

The Authority appreciates the assistance from Colusa Indian Community Council to date in AB 52 consultation, as well as with other state and federal legal provisions. The Authority is providing this formal invitation to consult regarding the potential for the Proposed Project to impact Tribal Cultural Resources, as defined in PRC § 21074. The purpose of tribal consultation under Section 21080.3.1 is to determine, as part of the CEQA review process, whether Tribal Cultural Resources are present within the Proposed Project Action Area, and if so, whether the Proposed Project will significantly impact those resources. If Tribal Cultural Resources may be significantly impacted, then consultation will also help to determine the most appropriate way to avoid or mitigate those impacts. The Authority intends to prepare a CEQA initial study/mitigated negative declaration (combined with a National Environmental Policy Act environmental assessment) for the Proposed Project, unless information indicating significant

impacts on cultural resources comes to light through the consultation process.

At this time, the Authority respectfully request any available information on the location and nature of Tribal Cultural Resources that may be found within or immediately adjacent to the Proposed Project Action Area. The Authority understands that locations of resources are sensitive; resource locations will not be disclosed in public documents and will be kept confidential as provided for under California Government Code § 6254.10. Specifically, we seek your input on the following types of resources so that they may be avoided or protected to the maximum extent possible:

- Prehistoric archaeological sites and features,
- Sacred lands or locations that are important in Native American culture,
- Places that the Native American community continues to use for ongoing cultural practices, and
- Historic-era resources.

Pursuant to PRC § 21080.3.1 (b), please respond in writing within 30 days if Colusa Indian Community Council would like to participate in formal AB 52 consultation concerning the Proposed Project. With the request, please provide the name and contact information of the designated lead contact person. The Authority will contact the designated person to set a meeting date to begin consultation within 30 days of receipt of the request. If you have any questions or wish to consult on the Proposed Project, please contact the Authority's Lead Agency Point of Contact for AB 52 consultation:

Alicia Forsythe, Environmental Planning and Permitting Manager  
Sites Project Authority  
P.O. Box 517  
Maxwell, CA 95955  
Phone: (916) 880-0676  
Email: [aforsythe@sitesproject.org](mailto:aforsythe@sitesproject.org)

If Colusa Indian Community Council notifies the Authority in writing that the Proposed Project does not involve any Tribal Cultural Resources of concern, then consultation under AB 52 will be considered concluded. If the Authority does not receive a written request to consult within 30 calendar days, it will be assumed that the Tribe declines the invitation to formally consult under AB 52. However, the Authority is committed to working with Colusa Indian Community Council to properly account for and manage resources important to the Colusa Indian Community Council, and we welcome any recommendations regarding appropriate management or treatment of resources that occur within the Proposed Project Action Area. This notification does not limit the ability of the Tribe to submit information to the Authority (PRC § 21080.3.2(c)(1)).

Honorable Chairman Gomez  
Colusa Indian Community Council  
Page 4 of 4

Thank you for giving this matter your prompt attention. Please contact Alicia Forsythe at the contact information above if you have any questions regarding this request.

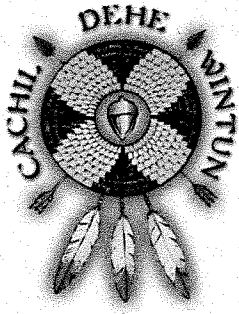
Sincerely,

A handwritten signature in black ink, appearing to read "Jerry Brown". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Jerry Brown  
Executive Director

Cc: Oscar Serrano, P.E.  
Colusa Indian Community Council  
3730 Highway 45  
Colusa, CA 95932

Attachment: Figure 1 – Project Location and Action Area Map



**COLUSA INDIAN COMMUNITY COUNCIL  
CACHIL DEHE BAND OF WINTUN INDIANS**

**RECEIVED**

**MAR 08 2022**

**SITES PROJECT AUTHORITY**

February 28, 2022

Sites

Attn: Jerry Brown, Executive Director  
P.O Box 517  
Maxwell, CA 95955

RE: Sites Reservoir Project

Dear Mr. Brown:

Thank you for your project notification letter dated, February 7<sup>th</sup> 2022, regarding cultural information on or near the proposed Sites Reservoir Project. We appreciate your effort to contact us and wish to respond.

The Executive Committee of the Cachil Dehe Band of Wintun Indians of the Colusa Indian Community (CICC) has reviewed the project. At this time, we do not have the capacity to consult on this project but respectfully ask that you defer all correspondence on this project to:

**Yocha Dehe Wintun Nation  
Attn: Laverne Bill  
PO Box 18  
Brooks, CA 95606**

Please refer to identification number CICC-3001-01 in any future correspondence to CICC concerning this project.

Thank you for providing us the opportunity to comment.

Sincerely,

Daniel Gomez  
Chairman

cc: Molly West, Tribal Administrator, CICC



August 4, 2022

Mr. Daniel Gomez, Tribal Chairman  
Colusa Indian Community Council  
3730 Highway 45  
Colusa, CA 95932

Subject: Formal Notification of Consultation Opportunity pursuant to Assembly Bill 52 (Public Resources Code § 21080.3.1) for the **2023-2024 Sites Reservoir Test Pits, Fault Studies, and Quarry Studies** (“Proposed Project”); Sites Reservoir Project in Glenn, Colusa, and Yolo Counties, California.

Dear Honorable Chairman Gomez:

This letter is a formal invitation to the Colusa Indian Community Council to consult with the Sites Project Authority (Authority) regarding the proposed **2023-2024 Sites Reservoir Test Pits, Fault Studies, and Quarry Studies** (Proposed Project) under Assembly Bill 52 (AB 52), pursuant to Public Resources Code (PRC) § 21080.3.1, concerning Tribal Cultural Resources. The Proposed Project is undergoing environmental review under the California Environmental Quality Act (CEQA) for geotechnical investigations to include test pits, fault studies, and quarry studies needed to support ongoing engineering evaluations and design development for the proposed Sites Reservoir and associated facilities.<sup>1</sup> The proposed Sites Reservoir Project would be an approximately 1.5 million acre-foot off-stream storage reservoir with associated facilities located in Colusa, Glenn, and Yolo Counties, California. The Authority is the lead agency under CEQA for both this Proposed Project and the Sites Reservoir Project.

Proposed Project Description

At this time, the Authority is proposing geotechnical investigations be implemented in areas where the dams, reservoirs, pipelines, and related facilities could be located for the proposed Sites Reservoir in and near Antelope Valley in Colusa and Glenn Counties, and in areas where pipelines and related facilities could be located for the proposed Sites Reservoir near the town of Dunnigan in Yolo County. The Action Area identified in **Figure 1**, attached, shows the Proposed Project location and the approximate areas where explorations could occur. The Action Area vicinity includes grasslands and open areas of oak woodlands north of the town of Sites, and agricultural areas of Dunnigan.

The proposed geotechnical investigations would consist of up to 84 test pits, 11 fault studies, and seven quarry studies throughout the proposed Sites Reservoir inundation area and associated conveyance facilities in Glenn, Colusa, and Yolo Counties to further inform the design and construction of the Sites Reservoir Project. No tree removal or trimming is included in the Proposed Project. The anticipated

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<sup>1</sup> Consultation and environmental review for the Proposed Project is separate from the Sites Reservoir Project, for which Colusa Indian Community Council and the Authority are already consulting, and is also a separate effort from the Geotechnical Field Investigations on which the Authority and Colusa Indian Community Council have consulted in 2019, 2020, and 2022.



number and types of investigations are listed in **Table 1** along with anticipated depth of disturbance. The Proposed Project is scheduled to occur between January 2023 and December 2024. The sequence would depend on site and seasonal conditions, as well as landowner access; exploration and testing activities will not occur on privately held lands until access to the land has been obtained.

**Table 1. Investigation Type, Approximate Number, Location, and Depth of Disturbance**

Investigation Type	Approximate Number of Investigations (up to #)				Total Number of Investigations	Depth of Disturbance
	Sites Reservoir	Funks Reservoir	Terminal Regulating Reservoir and Pipeline	Dunnigan Pipeline		
Test Pits	76	3	4	1	84	18 to 20 feet below grade
Fault Studies	9	2	-	-	11	10 to 15 feet below grade
Quarry Studies	7	-	-	-	7	15 to 20 feet below grade

**Test pits** are intended to determine the quantity and quality of borrow materials proposed for dam and reservoir feature construction fill as well as information regarding pipeline trench stability analysis. Proposed test pit locations were selected to provide sufficient assessment of Sites Reservoir Project feature footprints and to allow collection of soil samples for engineering and laboratory analysis. Within a 50 by 50 foot work area, each test pit would be dug by excavator or backhoe to an approximately 20 by 15 feet rectangular pit, approximately 18 to 20 feet deep, and samples would then be collected. Excavation and sampling would take about one to two days to complete at each location. Stockpiling of excavated materials would occur adjacent to the hole within the established 50-foot-wide work area. Test pits would be backfilled with the excavated material on the same day as they are excavated with the stockpiled topsoil placed at the surface and the area restored, as closely as possible, to its original condition.

**Fault studies** are intended to determine the stratigraphy of areas both suspected and known as fault traces/zones and to further evaluate the areas for evidence of last movement. Fault trenches have been selected at specific existing and suspected fault lines in proximity to planned Sites Reservoir Project features. Work areas for fault trenches would be up to approximately 40 feet wide and range from 100 to 1,000 feet long. Each trench would be approximately 5 feet wide, would vary from 10 to 15 feet deep, and varying length within the designated work areas. Proposed trenches would consist of the smallest footprint necessary to complete the investigations and avoid impacts to biological resources, cultural resources including Tribal Cultural Resources, and any other sensitive resources. The trenches would be excavated using a conventional backhoe and be fitted with temporary shoring. Fault studies will take up to 25 days to complete. Stockpiling of excavated materials would occur adjacent to the trench within the established 40-foot-wide work area. Trenches would be temporarily covered with heavy duty plywood sheets (3/4 inch or thicker sheets) at the end of each workday. Once trenching and mapping are complete, the trenches would be backfilled with excavated materials placed in thin lifts, or fill layers, and tamped in place by the backhoe bucket and roller attachments, before a subsequent lift of material



is placed as backfill. Lifts do not exceed about 8 inches thick and allow for material to be replaced consistent with previous conditions. Upon completion of each proposed fault study, the area would be returned to its original condition.

**Quarry studies** are intended to determine the quantity and quality of borrow materials proposed for dam and reservoir feature construction fill and to assess the means and methods needed to remove overburden and rock materials during construction of Sites Reservoir Project. These studies would only be conducted in areas of planned quarries. Work areas for the dozer trenches for quarry studies would be approximately 40 feet wide and range from 1,000 to 2,300 feet long. Each trench would be excavated using a bulldozer to approximately 20 feet wide, would vary from 5 to 10 feet deep, and have varying length within the designated work areas. Stockpiling would occur adjacent to each trench within the established 40-foot-wide work area. Investigations at a quarry study trench would occur in sections to minimize the length of trench open at any given time. Open portions of the trenches would be backfilled at the end of each day by track-walking excavated materials back into place by the dozer. Each quarry study trench will take four days to complete. Upon completion of each proposed study, the area would be returned to its original condition.

Equipment, vehicles, and materials would be temporarily staged at each designated work area. Equipment use would be planned to optimize onsite staging and reduce offsite traffic and travel. All staging areas would avoid known cultural resources, and be located outside of wetlands and other aquatic resources and adhere to species-specific buffer zones. Crew vehicles and equipment would access the work areas daily over the Proposed Project duration. Flaggers, cones, and other measures would be used to control the flow of traffic near active roadways where necessary, and neighbors would be notified prior to commencement of Proposed Project activities in their area. **Table 2** provides the estimated number of each type of equipment required to complete the Proposed Project.

**Table 2. Proposed Project Equipment and Anticipated Duration of Use**

Equipment	Estimated Maximum Number of Equipment	Hours per Day
Skid Steer	2	12
Backhoe	2	12
Bulldozer	1	12
Water Trucks	2 (included for dust suppression)	12
ATV and Trailers	4	12
Pickup Trucks/Sport Utility Vehicles	4	12

Activities at each work area described above would require up to 10 to 15 personnel, including equipment operators and assistants; a utility locator; a geologist/engineer; various resource monitors; project managers; and safety staff. Tribal monitors will be present during study activities and archaeological monitors will be present during study activities.

Consultation

The Authority would like to thank Colusa Indian Community Council for its involvement in consultation to date. This letter is an additional formal invitation to initiate consultation as part of the CEQA review

process under Section 21080.3.1 regarding the potential for the current Proposed Project to impact Tribal Cultural Resources, as defined in PRC § 21074. It is the goal of the Authority to respectfully honor and abide by the full rights and opportunities afforded to Colusa Indian Community Council under CEQA and its AB52 additions. This goal includes, but is not limited to, avoidance of impacts that may rise to the level of a substantial adverse change in the significance of a Tribal Cultural Resource, per PRC 21084.1-21084.2.

The Authority seeks to engage in consultation to determine whether Tribal Cultural Resources are present within the Proposed Project Action Area, and if so, whether the Proposed Project will significantly impact those resources. If Tribal Cultural Resources may be significantly impacted, the Authority seeks to determine the most appropriate way to avoid or mitigate those impacts. The Authority intends to prepare an initial study (IS) with proposed mitigated negative declaration (MND) for the Proposed Project, unless information indicating significant impacts on Tribal Cultural Resources or other resources comes to light through the consultation process.

At this time, the Authority respectfully requests any available information on the location and nature of Tribal Cultural Resources that may be found within or immediately adjacent to the Proposed Project Action Area. The Authority understands that locations of resources are sensitive; resource locations will not be disclosed in public documents and will be kept confidential as provided for under California Government Code § 6254.10. Specifically, the Authority is seeking input on the following types of resources so that they may be avoided or protected to the maximum extent possible:

- Native American archaeological sites and features,
- Sacred lands or locations that are important in Native American culture,
- Places that the Native American community continues to use for ongoing cultural practices, and
- Historic-era resources.

Pursuant to PRC § 21080.3.1 (b), please respond in writing within 30 days if Colusa Indian Community Council would like to participate in formal AB 52 consultation concerning the Proposed Project. With the request, please provide the name and contact information of the designated lead contact person. The Authority will contact the designated person to set a meeting date to begin consultation within 30 days of receipt of the request. If you have any questions or wish to consult on the Proposed Project, please contact the Authority's Lead Agency Point of Contact for AB 52 consultation:

Alicia Forsythe, Environmental Planning and Permitting Manager  
Sites Project Authority  
P.O. Box 517  
Maxwell, CA 95955  
Phone: (916) 880-0676  
Email: aforsythe@sitesproject.org

If Colusa Indian Community Council notifies the Authority in writing that the Proposed Project does not involve any Tribal Cultural Resources of concern, then consultation under AB 52 will be considered concluded. If the Authority does not receive a written request to consult within 30 calendar days, it will be assumed that the Tribe declines the invitation to formally consult under AB 52. However, the Authority is committed to working with Colusa Indian Community Council to properly account for and

Honorable Chairman Gomez  
Colusa Indian Community Council  
Page 5 of 5

manage resources important to the Colusa Indian Community Council and welcomes any recommendations and guidance regarding appropriate management or treatment of resources that occur within the Proposed Project Action Area. This notification does not limit the ability of the Tribe to submit information to the Authority (PRC § 21080.3.2(c)(1)).

Thank you for giving this matter your prompt attention. Please contact Alicia Forsythe at the contact information above if you have any questions regarding this request.

Sincerely,

A handwritten signature in black ink that reads "Jerry Brown". The signature is fluid and cursive, with a long horizontal line extending to the right from the end of the name.

Jerry Brown  
Executive Director

Cc: Molly West, Tribal Administrator  
Colusa Indian Community Council  
3730 Highway 45  
Colusa, CA 95932

Attachment: Figure 1 – Project Location and Action Area Map