



COLUSA INDIAN COMMUNITY COUNCIL CACHIL DEHE BAND OF WINTUN INDIANS

Dear Ali Forsythe, Jerry Brown, and other Sites Project Authority Government Representatives:

This letter is written on behalf of the Cachil DeHe Band of Wintun Indians of the Colusa Indian Community Council (CICC), a federally recognized Indian Tribe and sovereign government. Pursuant to California Government Code (GOV) Sections 6254(r) and 6254.10 and 54 U.S.C. Section 307103(a) of the National Historic Preservation Act (NHPA) (formerly Section 304 [16 U.S.C. 470w-3(a)]) of the NHPA, the Sites Project Authority shall not disclose this letter or any associated details or contents herein, in part or in whole, to any third parties (including, but not limited to, consultants and other local, state, and/or federal agency personnel) without the free, prior, informed, and express written consent of CICC.

Based on an email communication from Ms. Ali Forsyth on May 22, 2023, CICC understands that the Sites Project Authority continues to conduct geotechnical activities in the Project area. CICC has formally informed the Sites Project Authority through in-person consultation on April 18, 2023, and a letter dated and sent May 3, 2023 and emailed May 9, 2023 that the Project is within a CICC historic district and defined cultural landscape, a property of traditional religious and cultural importance (PTRCI) and tribal cultural resource (TCR) that must be accounted for and adverse effects on and impacts to its integrity considered under the California Environmental Quality Act (CEQA), its Assembly Bill 52 additions (AB52), the National Environmental Policy Act (NEPA), and Section 106 of the National Historic Preservation Act (NHPA).

The fact that the Sites Project Authority and the Bureau of Reclamation (Reclamation) continue with ground disturbing activities without fulfilling compliance obligations and responsibilities and considering the full direct, indirect, and cumulative adverse effects on CICC, our abilities to continue with our traditional religious and cultural practices and identities indelibly tied to this PTRCI and TCR, and the serious short- and long-term harm that damage to this cultural resource will have on our capacities for collective continuance as a unique people is extremely concerning. As Reclamation clearly has an undertaking per 54 United States Code (U.S.C.) 300320, it is also extremely concerning that CICC has not yet been consulted to date as part of the Section 106 process. This raises a dire specter that the ongoing ground disturbing activities with full knowledge that they have the very real potential to disturb, disrupt, and possibly destroy a PTRCI and TCR respectively eligible for listing in the National Register of Historic Places (NRHP) and California Register of Historical Resources (CRHR) may be efforts at causing intentional adverse effects and anticipatory demolition (see 36 CFR 800.9(c)).

For these reasons, CICC is once again calling for the immediate cessation of all ground disturbing activities associated with the Project, and for direct government-to-government consultation with the Sites Project Authority. CICC is committed to reasonable, meaningful, and good faith consultation and fulfilling all of the opportunities and rights afforded to us to meet our protection, preservation, and stewardship obligations for the lands, airs, waters, and other heritage resources that comprise our traditional cultural land/waterscapes. These geographies are our inheritance from our ancestors, and protecting and preserving their integrity and capacities are fundamental to maintaining and sustaining our



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histories, stories, ceremonies, practices, traditional knowledge and sciences systems, identities, and opportunities for viable and collective futures as a unique, sovereign, and self-determined Tribe and people.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Wayne Mitchum Jr.', with a long horizontal flourish extending to the left.

Chairman, Wayne Mitchum Jr.