

## NATIVE AMERICAN HERITAGE COMMISSION

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STATE WATER RESOURCES  
CONTROL BOARD



2007 AUG 13 PM 1:59

August 2, 2007

DIV. OF WATER RIGHTS  
SACRAMENTO

Diane Riddle  
State Water Resources Control Board  
P.O. Box 2000  
Sacramento, CA 95812

RE: SCH# 1999051051 Modifications to the U.S. Bureau Reclamation's Water Rights; Santa Barbara County..

Dear Ms. Riddle:

The Native American Heritage Commission (NAHC) has reviewed the Notice of Preparation (NOP) referenced above. The California Environmental Quality Act (CEQA) states that any project that causes a substantial adverse change in the significance of an historical resource, which includes archeological resources, is a significant effect requiring the preparation of an EIR (CEQA Guidelines 15064(b)). To comply with this provision the lead agency is required to assess whether the project will have an adverse impact on historical resources within the area of project effect (APE), and if so to mitigate that effect. To adequately assess and mitigate project-related impacts to archaeological resources, the NAHC recommends the following actions:

- ✓ Contact the appropriate regional archaeological Information Center for a record search. The record search will determine:
  - If a part or all of the area of project effect (APE) has been previously surveyed for cultural resources.
  - If any known cultural resources have already been recorded on or adjacent to the APE.
  - If the probability is low, moderate, or high that cultural resources are located in the APE.
  - If a survey is required to determine whether previously unrecorded cultural resources are present.
- ✓ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
  - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. 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.
  - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.
- ✓ Contact the Native American Heritage Commission for:
  - A Sacred Lands File Check. **No Sacred Sites Found as of August 2, 2007.**
  - A list of appropriate Native American contacts for consultation concerning the project site and to assist in the mitigation measures. **Native American Contacts List attached.**
- ✓ Lack of surface evidence of archeological resources does not preclude their subsurface existence.
  - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5(f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
  - Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
  - Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, CEQA §15064.5(e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

Sincerely,

*Katy Sanchez*

Katy Sanchez  
Program Analyst

CC: State Clearinghouse

**Native American Contacts**  
Santa Barbara County  
August 2, 2007

Ernestine DeSoto  
1027 Cacique Street, #A Chumash  
Santa Barbara , CA 93103  
(805) 962-3598

Santa Ynez Tribal Elders Council  
Adelina Alva-Padilla, Chair Woman  
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Santa Ynez , CA 93460  
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(805) 688-8446  
(805) 693-1768 FAX

Santa Ynez Band of Mission Indians  
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Santa Ynez , CA 93460  
varmenta@santaynezchumash.org  
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Coastal Band of the Chumash Nation  
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Santa Barbara , CA 93105  
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San Luis Obispo County Chumash Council  
Chief Mark Steven Vigil  
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Grover Beach , CA 93433  
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Santa Ynez Band of Mission Indians  
Sam Cohen, Tribal Administrator  
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(805) 686-9578 Fax

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Santa Barbara , CA 93103  
(805) 965-8983

**This list is current only as of the date of this document.**

**Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.**

**This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#1999051051 Modifications to the U. S. Bureau Reclamation 's Water Rights; Santa Barbara County.**