

## 7.2 **Ethnographic and Ethnohistoric Study Plan**

### 7.2.1 Pertinent Issue Questions

This Ethnographic and Ethnohistoric Study Plan addresses the following cultural issues:

3. What is the list of critical vegetation used for Native American practices in the APE?
4. Have appropriate Native American Tribes and cultural groups been identified in the project area for participation or consultation in the UARP relicensing? What preferences do the tribes have for how they participate in the relicensing process?
5. Does the project affect culturally significant sites? And if so, are there opportunities to enhance sites that are of cultural significance to Native American Tribes?
13. Are there cultural properties of importance to nontribal interest groups [e.g. Basque]?
14. What is the cultural significance of historical grazing activities and the continuance of the activity?

### 7.2.2 Background

As noted on pages E7-12 to E7-13 of the Initial Information Package (IIP) prepared for the UARP, the Project area is generally considered to have been used in the past by the ethnographic Nisenan (or Southern Maidu), with the upper elevations also used by the Washoe; both of whom maintain interests in traditional practices and the heritage values of the region (SMUD 2001). While some ethnographic studies of these Native American groups have been documented (e.g., d’Azevedo 1986; Wilson and Towne 1978), these inventories are not complete or current, and a comprehensive inventory and assessment of traditionally important cultural and religious sites has not been undertaken previously for the UARP.

### 7.2.3 Study Objectives

The objective of this study is to determine whether significant ethnographic and ethnohistoric resources occur within the APE for the UARP. Resources that are eligible for listing in the NRHP, including certain traditional cultural and religious sites, are referred to as “historic properties.” This study will involve the gathering information on past life-ways, and the identification and documentation of specific sites and areas of cultural and religious importance that may be impacted by existing or proposed project-related activities. In conjunction with this study, SMUD (under the auspices of the FERC) will establish a consultation program with the State Historic Preservation Officer, duly appointed Tribal Historic Preservation Officers, as appropriate ( e.g., the United Auburn Indian Community of the Auburn Rancheria), and interested Native American and non-native cultural groups with past or present cultural ties to areas within the UARP APE. These efforts are consistent with the process established for complying with Section 106 of the National Historic Preservation Act (NHPA), as described at Title 36 CFR Part 800.

This study will also be conducted in compliance with the requirements of the American Antiquities Act, the National Environmental Policy Act, the American Indian Religions Freedom Act, the Native American Graves Protection and Repatriation Act and the California Environmental Quality Act. Section 106 of the NHPA requires that, prior to issuing a new hydroelectric license, FERC must take into account the potential effects of the Project on areas to which Indian Tribes or other ethnic groups attach traditional cultural and religious significance, and must provide the Advisory Council on Historic Preservation (ACHP) with an opportunity to comment on FERC’s assessment. The assessment of potential Project-related effects on significant cultural and religious resources within the APE for the UARP is addressed in a separate study plan.

### 7.2.4 Study Area and Sampling Locations

The study area for the ethnographic or ethnohistoric inventory and significance assessment is termed the Area of Potential Effects (APE) under Section 106. As defined in the regulations implementing Section 106 of the NHPA, the APE is the geographic area or areas within which:

an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The area of potential effects is influenced by the scale and

nature of an undertaking and may be different for different kinds of effects caused by the undertaking. (36 CFR 800.16[d])

For the UARP relicensing, the APE for the ethnographic and ethnohistoric study will include:

- the area within the FERC Project Boundary as defined in the IIP
- the area encompassing any new Project facilities proposed by SMUD
- additional areas beyond those described above where there is a reasonable potential for Project operations to affect important traditional cultural and religious resources (e.g. the developed and dispersed recreation areas being identified by the recreation TWG and the project roads that would be identified through the project sources of sediment study in coordination with the recreation and aquatic TWGs).

Private land within the FERC Project Boundary up to the high water line will be included within the APE, with access to these lands subject to approval by the landowner.

It is anticipated that SMUD, on behalf of FERC, will coordinate with affected Native American Tribes, ENF and USBLM, as required by Section 106 of the NHPA. SMUD will then specifically describe the APE for ethnographic and ethnohistoric resources and depict it on a series of maps that will be used to gain concurrence from SHPO.

#### 7.2.5 Information Needed From Other Studies

There is currently no known input needed immediately from other studies to carry out this plan. However, certain cultural and religious sites may correspond to archaeological site locations that will be examined during the Archaeological and Historical Resources Inventory Study Plan. Connections between traditional cultural properties and archaeological resources will be considered during the evaluation stage of the proposed work. In addition, data from botanical resource inventories may be found useful in the assessment of traditionally important plant-gathering areas. Other studies that might identify or lead to Project-related disturbances outside the current FERC Project Boundary or outside the operational area for the UARP may be relevant to the establishment of the APE for this study. Information on significant cultural resources gathered during this study will also be considered if ground-disturbing activities are proposed by other technical studies.

#### 7.2.6 Study Methods And Schedule

The Ethnographic and Ethnohistoric Study will be performed in a manner consistent with the *Framework for Archaeological Research and Management on the National Forests of the North-Central Sierra Nevada* (FARM) (Jackson et al. 1994), the guidelines for identification of Traditional Cultural Properties as set out in National Register Bulletin 38 (National Park Service 1990), and within the context of a consultation process as outlined in Section 106 of the NHPA (36 CFR Part 800).

This study will begin with the identification of appropriate consulting parties (36 CFR Part 800. 2c), in coordination with the SHPO, ENF, and USBLM. The study will include the gathering and review of relevant background information, including previously prepared ethnographic overviews, as well as interviews with Tribal elders and others who are knowledgeable of traditional life-ways of the Native American people within the Project area. Basque shepherds and the Swiss-Italian community have also made extensive use of the Project area in the past, and historic grazing activities are of specific interest in this area (see Cultural Resource Issue 14). Therefore members of the Basque and ranching communities may also be sought for interviews. These interviews will be conducted at times and in places that are convenient for the interviewees, although it will be a goal to conduct some interviews in the field at the locations of concern. This information will be maintained at the level of confidentiality requested by the involved parties.

Contacts with Native American groups and individuals and possible non-native groups may be facilitated by the involvement of a professional ethnographer who meets the Secretary of Interior standards, and who is familiar with the Project area and its inhabitants. Research materials will also be sought from local public libraries, historical

societies, university libraries and Special Collections at the State Library in Sacramento or the Bancroft Library at the University of California, Berkeley.

This study will include information regarding historic and current use of certain plants within the Project area that may be of traditional importance, as well as the cultural significance of locations where these plants may be accessible. This evaluation will also be used to determine which cultural use areas are eligible for inclusion in the NRHP. The evaluation of resources will be conducted in consultation with FERC and the federal land management agencies, Native American Tribes, other consulting parties, and the SHPO. The evaluation will be based on the current NRHP significance criteria using guidance provided by the FARM and relevant National Park Service bulletins. Access to information regarding sacred sites identified during this process, whether eligible for the NRHP or not, is protected by Executive Order 13007 (61 FR 26771). Results of this study will be presented in a confidential technical report. Completion of the evaluation aspects of this study would be slated to occur in 2003.

#### 7.2.7 Analysis

As noted above, the analysis of the ethnographic data will be completed within the context of the FARM, National Park Service bulletins and Section 106 and its implementing regulations. SMUD will consult regularly with federal land management agencies, Native American Tribes and other interested/knowledgeable parties, and the SHPO. Conclusions as to which ethnographic and ethnohistoric resources within the UARP are and are not eligible to the NRHP will be reached with consensus between the FERC (following consultation with the ENF and USBLM) and the SHPO, or would require a determination of eligibility by the Secretary of the Interior in accordance with the procedures established at Title 36 CFR Part 63. Identification of Traditional Cultural Properties will be based on National Register Bulletin 38 (National Park Service 1990). Opportunities to enhance the value of culturally significant sites may be developed in consultation with Native American and non-native ethnic groups or organizations.

#### 7.2.8 Study Output

It is anticipated that the report produced during the course of this study will include issue questions addressed, objectives, study area, methods, results, analysis and GIS maps, where appropriate. The report will include an ethnographic and ethnohistoric context, and description of areas of cultural concern. Because of the sensitive nature of information on the location of traditional cultural and religious sites, certain elements of these studies must be retained as confidential, and cannot be distributed to the public. The technical report containing confidential information such as site location and ethnographic information will be labeled "Confidential" and will be handled as such. These confidential data will be made available only to the involved federal, state and local decision-making bodies such as FERC, SHPO, the ENF, USBLM and the El Dorado County Cultural Resources Commission. A summary report that does not contain sensitive information will also be prepared for distribution to a larger audience within the context of the relicensing process.

The technical report will describe each site or area of cultural and religious importance identified within the APE for the UARP, the criteria for inclusion in the NRHP (with citations as to relevant National Park Service bulletins and other guidance), methods undertaken to evaluate each resource, and recommendations as to whether the resource is or is not considered eligible for inclusion in the NRHP. Transcripts of oral interviews (subject to permission by the subject), maps, and photographs may be used to help document these resources, their location and condition.

It is anticipated that the non-confidential portion of the report will be prepared for direct inclusion in the Licensee's draft environmental assessment that will be submitted to FERC with the Licensee's application for a new license.

#### 7.2.9 Preliminary Estimated Study Cost

SMUD's consultant estimates that this study will cost \$50,000 ± 20 percent.

7.2.10 Plenary Group Endorsement

The Plenary Group approved this study plan on February 6, 2002. The participants at the meeting who said they could “live with” the study plan were California Department of Fish and Game, California Native Plant Society, California Outdoors, California Sportsfishing Protection Alliance, El Dorado County, El Dorado County Citizens for Water, Friends of El Dorado County, National Parks Service, Placer County Water Agency, Sacramento Municipal Utility District, State Water Resources Control Board, Taxpayers of El Dorado County, U.S Bureau of Land Management and Eldorado National Forest. None of the participants at the meeting said they could not “live with” the study plan though PG&E abstained since this study plan does not apply to the Chili Bar Project.

7.2.11 Literature Cited

d’Azevedo, Warren L. 1986. Washoe, pp. 466-498 in Volume 11 of the *Handbook of North American Indians*. Smithsonian Institution, Washington, D.C.

Jackson, R. J., T. L. Jackson, C. Nicksiek, K. Roper, and D. Simons. 1994. Framework for Archaeological Research and Management on the National Forests of the North-Central Sierra Nevada. On file, Eldorado National Forest. Placerville, CA.

National Park Service. 1990. Guidelines for Evaluating and Documenting Traditional Cultural Properties. *National Register Bulletin 38*. Washington, D.C.

Sacramento Municipal Utility District. 2001. Initial Information Package for Relicensing of the Upper American River Project (FERC Project No. 2101). Sacramento, CA.

Wilson, Norman L., and Arlean H. Towne. 1978. Nisenan, pp. 387-397 in Volume 8 of the *Handbook of North American Indians*. Smithsonian Institution, Washington, D.C.