Appendix N

State Historic Preservation Officer (SHPO) Concurrence Letter

Prepared by Office of Historic Preservation, Department of Parks and Recreation

United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
Pacific Regional Office
2800 Cottage Way
Sacramento, California 95825

APR 20 2009

Leroy J. Elliott, Chairman
Manzanita Reservation
P.O. Box 1302
Boulevard, CA 91905

Dear Mr. Elliott:

The enclosed letter from the State Historic Preservation Officer (SHPO), dated April 9, 2009, concurs with our determination of **No Adverse Effect** regarding the Tribe's proposed 60.8-acre fee to trust conveyance and associated casino development. Therefore, the Section 106 historic preservation compliance consultation process, as specified in the Advisory Council on Historic Preservation's regulations in 36 CFR Part 800 (revised July 6, 2004), has now been completed.

You should be aware, however, that in the event of an inadvertent discovery, the BIA may have additional responsibilities relevant to this undertaking, pursuant to 36 CFR Part 800.13. If you require further clarification or need additional information, please contact Jennifer Thomas, Assistant Regional Archeologist, at (916) 978-6165, or John Rydzik, Chief, Division of Environmental, Cultural Resources Management, and Safety, at (916) 978-6051.

Sincerely,

Dale Morris

Regional Director

Enclosure

cc: Superintendent, Southern California Agency (without enclosure)
[redacted]

STATE OF CALIFORNIA – THE RESOURCES AGENCY

ARNOLD SCHWARZENEGGER, *Governor*

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April 9, 2009

In Reply Refer To: BIA090401A

Dale Morris
Regional Director
United States Department of the Interior
Bureau of Indian Affairs
Pacific Regional Office
2800 Cottage Way
Sacramento, California 95825

Re: Proposed Fee-To-Trust Conveyance of 60.8 Acre Parcel for the Manzanita Band of Kumeyaay Indians, Imperial County, California.

Dear Mr. Morris:

Pursuant to 36 CFR Part 800 (as amended 8-05-04) regulations implementing Section 106 of the National Historic Preservation Act, the Bureau of Indian Affairs (BIA), Pacific Regional Office, is seeking my comments on its determination of effects that the proposed undertaking will have on historic properties. The undertaking consists of the conveyance of a parcel of 60.8 acres, located west of Highway 111 within the City of Calexico, into trust status for the Manzanita Band of Kumeyaay Indians (Tribe). The BIA has determined that the 60.8 acre parcel to be conveyed is the project Area of Potential Effects (APE). In addition to your letter of March 26, 2009, you have submitted the following reports as evidence of your efforts to identify historic properties in the APE:

- *Results of a Cultural Resources Phase I Survey for the 111 Calexico Place Project, City of Calexico, California* (Nina M. Harris, Harris Archaeological Consultants: July 3, 2006).

- *Historical Resource Inventory and Evaluation for the Proposed 111 Calexico Place Project* (Sarah Stringer-Bowsher and Sínead Ní Ghabhláin, ASM Affiliates, Inc.: August 2008).

Based on their identification efforts, the BIA has determined that two historic properties, the Central Main Canal and the Dogwood Canal, are present within the project APE. Project design plans call for the construction of a new roadway within the project parcel that will require a bridge over these canals. Additionally, an existing bridge over the canals on Scaroni Road will need to be widened. The BIA has determined that both of these canals are eligible for the National Register of Historic Places under criterion A for their association with the Alamo Canal Irrigation system and the All-American Canal distribution system, and their importance in the development of the Calexico area. The

BIA has further determined that this undertaking can be constructed as designed without adversely affecting either of these historic properties. After reviewing your letter and supporting documentation, I have the following comments:

1) I concur that the Area of Potential Effects (APE) has been properly determined and documented pursuant to 36 CFR Part 800.4 (a) (1) and that the Efforts to Identify Historic Properties within the APE represent a reasonable and good faith effort by the BIA pursuant to 36 CFR Part 800.4.

2) I further concur that the Central Main Canal and Dogwood Canal are eligible for the National Register of Historic Places under criterion A.

3) I further concur that a finding of No Adverse Effect is appropriate for this undertaking pursuant to 36 CFR Part 800.5(d)(1).

Be advised that under certain circumstances, such as unanticipated discovery or a change in project description, the BIA may have additional future responsibilities for this undertaking under 36 CFR Part 800. Thank you for seeking my comments and for considering historic properties in planning your project. If you require further information, please contact William Soule, Associate State Archeologist, at phone 916-654-4614 or email wsoule@parks.ca.gov.

Sincerely,

Susan K Stratton for

Milford Wayne Donaldson, FAIA
State Historic Preservation Officer