

Data Submitted (UTC 11): 2/29/2016 8:00:00 AM

First name: Mark

Last name: Miyoshi

Organization: Winnemem Wintu Tribe

Title:

Comments: Dear Forest Supervisor Dave Myers,

Please see attached Winnemem Wintu Tribe letter regarding the Shasta Trinity National Forest Elk Flat DEIS. Please direct informal questions by e-mail to addresses listed in the letter or by phone to Mark Miyoshi/Luisa Navejas 530-926-4408. Please send all formal replies to the addresses listed on the bottom of the letter.

With Respect,

Mark Miyoshi

Luisa Navejas

Mount Shasta District Representatives/Water Advisors

Winnemem Wintu Tribe

Dear Ms. Polanco,

Please accept this letter as an official communication from the Winnemem Wintu Tribe (WWT), a traditional, non-gaming, Native California Tribe, recognized as such by the State of California.

As Winnemem Wintu (Middle Water People), we have lived and have continued to practice our traditional culture along the McCloud River and surrounding cultural landscapes since time immemorial, as amply documented in the archeological, historical, and ethnographic records. Winnemem Wintu are the traditional cultural practitioners qualified for purposes of consultation with government agencies under the guidelines published in Advisory Council on Historic Preservation's Bulletin 38.

The WWT has been denied full and meaningful consultation by the Shasta Trinity National Forest (STNF) regarding the Elk Late--Successional Reserve (LSR) Enhancement Project. Therefore the Tribe is requesting that your office withhold concurrence for the DEIS and Section 106 review and direct STNF to fully comply with the National Historic Preservation Act and the National Environmental Policy Act and respect the rights of the WWT in regards to the Tribe's Traditional Cultural Properties.

On April 11, 2014, Shasta McCloud Management Unit (SMMU) District Ranger Carolyn Napper was scheduled to lead a field trip to the WWT Traditional Cultural Property (TCP), Coonrod Flat, with Tribal Representative Mark Miyoshi. The purpose of this trip was to explain the prescriptions planned for units of the Elk Flat Project immediately adjacent to Coonrod Flat. Mr. Miyoshi's job was to consult with me, as Chief of the Winnemem Wintu, so that I could make the determination about whether there would be any adverse effects on the Tribe's TCP.

However, immediately before the start of the field trip Ms. Napper received a call from the Forest Service (FS) Office of General Counsel (OGC) who instructed Ms. Napper to cancel the field trip. According to Ms. Napper, the OGC ordered that no STNF personnel were to accompany any WWT members to Coonrod Flat to avoid any inadvertent agreements between the FS and Winnemem Wintu Tribe.

Since the time of the field trip, STNF has requested that WWT make comments about the effects of the Elk Flat Project on Coonrod Flat without an on--the--ground explanation of prescriptions, boundaries, buffer zones, etc. Later documentation by the STNF even claims that the WWT had agreed to boundaries of a buffer zone around Coonrod Flat, a claim that is entirely and unequivocally

false.

To add insult to injury, the Elk Late Successional Reserve Enhancement Project Cultural Resource Report No. R2009051410088 (by Leslie A. Johnson), sent to the Tribe for review, was heavily redacted of even the information that WWT provided STNF. The Tribe has no way to know if the redacted information was correct, complete or accurate and in some instances, there is no way to even discern the subject of sections of the report.

The WWT requests the following from your office:

- \*Confirmation that the WWT is a consulting party for the Elk Late Successional Reserve Enhancement Project Section 106 Review

- \*Instructions to Shasta Trinity National Forest that the WWT be allowed to fully and meaningfully consult on the project

- \*A reminder to the STNF OGC that they should not engage in nor instruct the FS to engage in activities clearly and explicitly in violation of historic preservation law

- \*Confirmation that your office will not concur on the completion of the Section 106 review nor the effects analysis for either Coonrod Flat or Elk Flat

- \*The WWT requests a copy of all information and documentation that STNF has sent to your office regarding the Elk Late Successional Reserve Enhancement Project.

The Winnemem Wintu Tribe awaits your reply. Thank you for your consideration. With Respect,

Caleen Sisk

Chief and Spiritual Leader Winnemem Wintu Tribe