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**APPENDIX N:**  
**GOVERNMENT-TO-GOVERNMENT AND  
NATIONAL HISTORIC PRESERVATION ACT CONSULTATION**

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**APPENDIX N:**

**GOVERNMENT-TO-GOVERNMENT AND  
NATIONAL HISTORIC PRESERVATION ACT CONSULTATION**

This appendix presents the correspondence pertaining to government-to-government and National Historic Preservation Act of 1966 (NHPA) Section 106 consultation for the Long-Term Experimental Management Program (LTEMP) Draft Environmental Impact Statement (DEIS). Attachment 1 provides copies of signed Memorandums of Understanding (MOUs), Attachment 2 provides official correspondence with Tribes, and Attachment 3 contains a copy of the letter to the Arizona State Historic Preservation Officer.

**N.1 GOVERNMENT-TO-GOVERNMENT CONSULTATION**

As detailed in Chapter 5 of the DEIS, both the Bureau of Reclamation (Reclamation) and the National Park Service (NPS) coordinate and consult with all Tribal governments, American Indian communities and organizations, and Tribal individuals whose interests might be directly and substantially affected by activities within their jurisdiction. Both agencies strive to provide Indian Tribes with sufficient opportunities for productive participation in planning and resource management decision-making. In addition, Section 106 of the NHPA requires federal agencies to consult with Indian Tribes on undertakings on Tribal lands and on historic properties of significance to the Tribes that may be affected by an undertaking (36 CFR 800.2 (c)(2)) (see Section 4.8.1). Agency-specific guidance provides additional direction for American Indian consultations (see Section 5.2.3).

On January 21, 2011, an e-mail was sent to Tribes that were previous cooperators on the Glen Canyon Dam EIS (Reclamation 1995)—the Southern Paiute Consortium, the Hopi Tribe, the Hualapai Tribe, the Navajo Nation, and the Pueblo of Zuni—with an invitation to attend the initial “kickoff” meeting for the LTEMP EIS on February 11, 2011. Representatives from the Navajo Nation and the Pueblo of Zuni attended this meeting.

On October 17, 2011, an e-mail was sent to the Southern Paiute Consortium, the Hualapai Tribe, the Hopi Tribe, the Navajo Nation, and the Pueblo of Zuni indicating that Reclamation published in the *Federal Register* a Notice of Intent (NOI) to develop a LTEMP and prepare a LTEMP EIS. In this NOI, the public was notified of upcoming public scoping meetings and were provided information on how to participate in the LTEMP public scoping process. A link to the project website and project lead contact information was provided.

On November 4, 2011, an e-mail was sent to the Hopi Tribe, the Southern Paiute Consortium, the Las Vegas Tribe of Paiute Indians, the Moapa Band of Paiute Indians, the Paiute Indian Tribe of Utah, the Havasupai Tribe, the Hualapai Tribe, the Navajo Nation, and the Pueblo of Zuni with an update on the LTEMP process. The e-mail summarized NOI publications and provided contact information for project leads. The e-mail also stated that several Tribes had already indicated their desire to participate as cooperating agencies and the joint leads would

1 soon be formally contacting all potentially interested American Indian Tribes to initiate  
2 consultation.

3  
4 On November 30, 2011, 43 Tribes, bands, and organizations were formally invited to  
5 enter into government-to-government consultation on the LTEMP EIS. A letter, sent by the joint-  
6 lead agencies, provided notification of the intent to prepare the LTEMP EIS, initiated  
7 government-to-government consultation, and invited the Tribes to identify concerns related to  
8 historic properties, including traditional cultural properties and archaeological sites; natural  
9 resources; relevant Indian Trust assets; and other issues of importance.

10  
11 On December 8, 2011, in accordance with 40 CFR (Code of Federal Regulations) 1501.6,  
12 concerning the Council on Environmental Quality (CEQ) regulations for implementing the  
13 procedural provisions of the National Environmental Policy Act (NEPA), and 43 CFR 46.225  
14 concerning the Department of the Interior's (DOI's) regulations for implementing NEPA,  
15 Reclamation and NPS invited 11 Tribes to participate as Cooperating Agencies in the  
16 development of the EIS.

17  
18 A total of 31 Tribes responded to the invitations. Six Tribes agreed to participate as  
19 Cooperating Agencies (the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab  
20 Band of Paiute Indians, the Navajo Nation, the Pueblo of Zuni); three Tribes (the Fort Mojave  
21 Tribal Council, Pueblo of Zia, and the Gila River Indian Community) agreed to participate as  
22 Consulting Tribes; eight Tribes (Pueblo of Santa Clara, Ute Indian Tribe, Ute Mountain Ute,  
23 Pueblo of Nambe, Yavapai Apache, Paiute Indian Tribe of Utah, the Pueblo of Santa Ana, and  
24 the Fort Yuma Quechan) declined participation, but asked to remain on the mailing list; and  
25 11 Tribes (Ak Chin Indian Community, Cocopah Indian Tribe, Fort McDowell Yavapai Tribal  
26 Council, Jicarilla Apache Nation, Ohkay Owingeh, Southern Ute Tribal Council, the Pueblo of  
27 Laguna, the Pueblo of Sandia, Yavapai-Prescott Indian Tribe, Tohono O'odham Nation, and the  
28 White Mountain Apache) declined participation in the LTEMP EIS. The joint-leads have yet to  
29 receive a response to the request for consultation from the remaining 15 Tribes (Colorado River  
30 Indian Tribes, Chemehuevi Tribal Council, Las Vegas Tribe of Paiute Indians, Moapa Band of  
31 Paiute Indians, Salt River Pima-Maricopa Indian Community, San Carlos Apache Tribe,  
32 San Juan Southern Paiute Tribe, the Pascua Yaqui Tribe, the Pueblo of Acoma, the Pueblo of  
33 Cochiti, the Pueblo of Jemez, the Pueblo of Pojoaque, the Pueblo of San Felipe, the Pueblo of  
34 Tesuque, and the Tonto Apache Tribe) despite follow-up phone calls and e-mails.

35  
36 Although the Pueblo of Zia agreed to participate as a Consulting Tribe, there was little  
37 participation from the Pueblo. On February 11, 2014, an e-mail was sent to a Tribal  
38 representative asking if the Pueblo of Zia would like to remain a Consulting Tribe or be moved  
39 to the mailing list. A hard copy of this letter was also sent to the Tribe. No response was received  
40 and the joint-leads agreed to move the Pueblo of Zia to the mailing list. A summary of Tribal  
41 Participation Status is provided in Table N-1 and a summary of follow-up inquiries is provided  
42 in Table N-2.

43  
44 Beginning in February 2012, the Tribes participating as Cooperating Agencies were  
45 invited to monthly conference calls to review progress and to reach agreement on major issues  
46 during the preparation of the DEIS. Prior to these meetings, Tribes were sent an invitation to

1 **TABLE N-1 Summary of Tribal Participation Status**

Participating Tribes	Declined Participation	No Response
<b><i>Cooperating Agencies</i></b>	Ak Chin Indian Community	Chemehuevi Tribal Council
The Havasupai Tribe	Chemehuevi Tribal Council	Colorado River Indian Tribes
The Hopi Tribe	Cocopah Indian Tribe	Las Vegas Tribe of Paiute Indians
The Hualapai Tribe	Fort McDowell Yavapai Tribal Council	Moapa Band of Paiute Indians
The Kaibab Band of Paiute Indians	Jicarilla Apache Nation	Salt River Pima-Maricopa Indian Community
The Navajo Nation	Ohkay Owingeh	San Carlos Apache Tribe
The Pueblo of Zuni	Southern Ute Tribal Council	San Juan Southern Paiute Tribe
	The Pueblo of Laguna	The Pascua Yaqui Tribe
<b><i>Consulting Tribes</i></b>	The Pueblo of Sandia	The Pueblo of Acoma
The Fort Mojave Tribal Council	Tohono O’odham Nation	The Pueblo of Conchiti
Gila River Indian Community	White Mountain Apache	The Pueblo of Jemez
	Yavapai-Prescott Indian Tribe	The Pueblo of Pojoaque
<b><i>Mailing List</i></b>		The Pueblo of San Felipe
Fort Yuma Quechan		The Pueblo of Tesuque
Paiute Indian Tribe of Utah		Tonto Apache Tribe
The Pueblo of Nambe		
The Pueblo of Santa Ana		
The Pueblo of Santa Clara		
The Pueblo of Zia		
Ute Indian Tribe		
Ute Mountain Ute		
Yavapai-Apache		

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4 each meeting as well as a meeting reminder with an agenda, call-in number, and password.  
 5 Monthly Cooperating Agency meetings are ongoing and will continue to be held throughout the  
 6 length of the LTEMP.

7

8 Cooperating Agency Tribes were invited to sign a MOU defining the relationship and  
 9 duties of the joint-lead and cooperating agencies in completing the NEPA compliance for  
 10 LTEMP. A draft copy of the MOU was sent to all Cooperating Agency Tribes on March 6, 2012,  
 11 and Tribes were encouraged to make revisions and provide comments. Final copies of the MOU  
 12 were distributed to each Tribe after revisions and comments were returned and incorporated into  
 13 each MOU. Signed copies were returned to the joint-leads by all Cooperating Agency Tribes.  
 14 Copies of the MOUs are provided in Attachment 1.

15

16 In addition to Cooperating Agency meetings, more than 30 meetings, workshops, and  
 17 webinars were conducted with stakeholders and Cooperating Agencies to assist in the  
 18 development of alternatives and performance criteria, explain the Structured Decision Analysis  
 19 (SDA), conduct swing-weighting exercises, and provide general status updates. A series of  
 20 Tribal-specific workshops, conference calls, and webinars were also held to identify Tribal  
 21 resource goals and ways to measure the relative performance of alternatives against those goals.  
 22 Prior to these meetings, inquiries were sent to Tribes to find a meeting time that would best suit

1 **TABLE N-2 Summary of Tribal Correspondence**

Tribe	Reclamation and NPS Communications with Tribes	Tribal Comment/Response
Ak Chin Indian Community	February 2012: Steve Daron, Lake Mead National Recreation Area (LMNRA), attempted phone contact with the Ak Chin Indian Community three times in February. He was unable to reach anyone.	July 31, 2012: Letter from Louis J. Manuel, Jr., Chairman indicating that the Ak Chin Indian Community is not interested in participating in the LTEMP process at this time.
	May 4, 2012: Steve Daron spoke with Carol Antone and re-sent the November 30 letter. Phone call follow-up, but no response.	
Chemehuevi Tribal Council	February 2012: Steve Daron, LMNRA, attempted to call the Chemehuevi Tribal Council three times in February. He was unable to reach anyone.	No response.
Cocopah Indian Tribe	January 23, 2012: John Halliday, DOI, called and was referred from the Chair Office to Tribal Administrator Christopher Nunez. John left him a message regarding the November 2011 LTEMP letter asking if the Tribe wished to participate in the LTEMP process.	January 25, 2012: Tribal staff member Barbera Mathias called Mr. Halliday and informed him that the Cocopah did not wish to participate in the LTEMP process.
Colorado River Indian Tribes	February 2012: Steve Daron, LMNRA, attempted to call CRIT three times in February and received no response.	August 10, 2012: Consulting and Cooperating Tribes meeting was held in Tempe, Arizona. Grant Buma, Acting Director of Water Resources Department, was in attendance.
	September 24, 2012: Jennifer Abplanalp, Argonne, called and left a message for Mr. Buma requesting an e-mail or mailing address to send LTEMP information.	September 24, 2012: Mr. Buma called back with his e-mail address.
Fort McDowell Yavapai Tribal Council	January 23, 2012: John Halliday, DOI, called and left a message for Karen Ray regarding the November 2011 LTEMP letter asking if the Tribe wished to participate in the LTEMP process.	February 6, 2012: Mr. Loutenhizer said that he would check with Karen Ray regarding participation in LTEMP and would get back to John soon.
	January 26, 2012: Mr. Halliday left a message with Ms. Ray asking if the Tribe wished to participate in the LTEMP process.	February 14, 2014: Mr. Loutenhizer indicated that the Ft. McDowell Yavapai did not want to participate in LTEMP process.
	January 27, 2012: Mr. Halliday left a message with Ms. Ray asking if the Tribe wished to participate in the LTEMP process.	
	February 6, 2012: Mr. Halliday called and spoke to Tribal Cultural Representative Gary Loutenhizer.	
	February 14, 2012: Mr. Halliday called and spoke to Mr. Loutenhizer.	

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**TABLE N-2 (Cont.)**

Tribe	Additional Joint Lead/Argonne Follow-up	Tribal Comment/Responses
Fort Mojave Tribal Council	<p>December 6, 2013: Steve Daron, LMNRA, spoke with Nora McDowell-Antone and asked if the Fort Mojave were still interested in participating as a consulting Tribe for the LTEMP EIS.</p> <p>January 30, 2014: Mr. Daron spoke with Ms. McDowell-Antone regarding the Fort Mojave participation as a consulting Tribe for the LTEMP EIS.</p>	<p>February 2012: Linda Otero, Director of the Aha Makav Cultural Society, called Steve Daron and indicated that the Fort Mojave were interested in participating in government-to-government consultation.</p> <p>April 24, 2012: Ms. Otero called Mr. Daron to schedule a meeting with the joint-lead agencies for an overview of the project.</p> <p>December 6, 2013: Ms. McDowell-Antone indicated that the Tribe is still interested.</p> <p>January 30, 2014: Ms. McDowell-Antone informed Mr. Daron that Ms. Otero had been temporarily assigned for 3 to 6 months but the Tribe would like to stay in the loop and receive information. Ms. Ms. McDowell-Antone requested the most recent documents.</p>
Fort Yuma Quechan Tribe	<p>February 2012: Steven Daron, LMNRA, spoke with John Bathke, Tribal Historic Preservation Officer (THPO), regarding the November 2011 LTEMP letter asking if the Tribe wished to participate in the LTEMP process. Steve also sent Mr. Bathke an e-mail with information on the LTEMP website.</p> <p>May 8, 2012: Mr. Daron spoke with John Bathke, THPO, regarding LTEMP consultation.</p> <p>May 14, 2012: Mr. Daron sent Mr. Bathke an e-mail with some potential dates for a meeting.</p> <p>May 29, 2012: Mr. Daron informed Mr. Bathke that the LTEMP representatives would be available for a meeting on June 22, as requested.</p> <p>May 30, 2012: Mr. Daron spoke with Mr. Bathke regarding the LTEMP.</p> <p>April 4, 2013: Bruce Verhaaren, Argonne, called the new THPO, Arlene Kingery, Mr. Bathke's replacement, regarding the Tribe's continued involvement in the LTEMP process.</p>	<p>February 15, 2012: John Bathke, THPO, called and left a message for Steven Daron requesting LTEMP consultation.</p> <p>May 8, 2012: Mr. Bathke indicated that the Cultural Committee would like a presentation on the LTEMP project and asked Mr. Daron to provide dates when LTEMP Representatives could come give a presentation.</p> <p>May 29, 2012: Mr. Bathke e-mailed Mr. Daron to request a meeting with LTEMP representatives on June 22, 2012, to discuss the LTEMP process.</p> <p>May 30, 2012: Mr. Bathke indicated that the Quechan are more interested in the impacts the project would have on cultural resources because the Tribe has heard that previous releases from Glen Canyon Dam have had impacts on sites.</p> <p>April 4, 2013: Ms. Kingery informed Bruce Verhaaren that the Quechan Cultural Committee had decided that they would no longer like to consult on the LTEMP but would like to remain on the mailing list.</p>

**TABLE N-2 (Cont.)**

Tribe	Additional Joint Lead/Argonne Follow-up	Tribal Comment/Responses
Gila River Indian Community Council (GRIC)	January 9, 2012: Janet Cohen confirmed receipt of the Tribe's interest in consultation.	January 3, 2012: Barnaby Lewis, THPO, sent a letter to John Wessels, NPS, and an e-mail to Ms. Cohen, NPS, indicating the Tribe's interest in consultation.
	February 2012: Steven Daron, LMNRA, attempted contact with the GRIC	
	May 14, 2012: Mr. Daron spoke with Larry Benallie, Archaeology Compliance Specialist, regarding the Tribe's participation in the LTEMP process.	May 14, 2012: Mr. Benallie informed Mr. Daron that the GRIC did not want to schedule a meeting at this time, but would re-evaluate the decision after the alternatives have been chosen. Mr. Benallie also requested a copy of the draft copy of <i>American Indian Perspectives and Values Related to the Glen Canyon Dam Long-Term Experimental and Management Plan Environmental Impact Statement</i> and indicated that the Tribe would like to remain on the mailing list.
	June 20, 2012: Bruce Verhaaren, Argonne, sent the draft copy of <i>American Indian Perspectives and Values Related to the Glen Canyon Dam Long-Term Experimental and Management Plan Environmental Impact Statement</i> .	
Havasupai Tribe	January 23, 2012: E-mail from Janet Cohen, NPS, to Chair and Vice Chair asking the Havasupai what their level of interest is in the project. Ms. Cohen attached a copy of the November and December 2011 letters and asked if they could get back to her by the end of the week regarding their involvement.	January 30, 2012: Chairman Watahomigie said the Tribe is interested in participating but did not specify whether they wanted to be a Cooperating Agency or not. Chairman identified the Tribal secretary (Jaycee Manakaja) as the point of contact to send meeting information, etc.
	January 27, 2012: Ms. Cohen tried to call Chairman Watahomigie and the Vice Chair regarding the November and December 2011 LTEMP letters asking if the Tribe wished to participate in the LTEMP process but was unable to reach anyone.	February 27, 2012: Cooperating Agency form returned indicating the Tribe would like to participate as a Cooperating Agency.
	January 30, 2012: Ms. Cohen called and spoke to Chairman Watahomigie regarding the November and December 2011 LTEMP letters asking if the Tribe wished to participate in the LTEMP process. Ms. Cohen resent the November and December 2011 letters and asked Chairman Watahomigie to return the Cooperating Agency form.	July 6, 2012: MOU signed.
	February 7, 2012: Ms. Cohen sent copies of the November and December 2011 letters to the Tribal Secretary as per the Tribe's request.	April 8, 2013: Ms. Vick indicated that the Havasupai have not submitted any funding proposal for LTEMP, but she would ask the Chairman if the Havasupai were interested in funding. Ms. Vick indicated that the Havasupai may not be interested in sharing Grand Canyon cultural connections with the Federal Government but that the engineering and water quality departments may be interested in reviewing the alternatives.
	April 8, 2012: Sarah Rinkevich called and spoke with Margaret Vick, Attorney for the Havasupai, asking if they would like to submit a funding proposal and if they were still interested in participating in the LTEMP.	September 30, 2015: Havasupai Tribe submitted comments on LTEMP DEIS.
	July 2012: MOU signed by joint-leads.	

**TABLE N-2 (Cont.)**

Tribe	Additional Joint Lead/Argonne Follow-up	Tribal Comment/Responses
Havasupai Tribe (Cont.)	December 17, 2014: Preliminary Chapters 1 and 2 sent to Havasupai Tribe for review.	
	April 15, 2015: Preliminary Chapter 3 sent to Havasupai Tribe for review.	
	July 1, 2015: LTEMP DEIS sent to Havasupai Tribe for review.	
Hopi Tribe	January 13, 2012: Janet Cohen, NPS, spoke with Mike Yeatts regarding the November 2011 LTEMP letter asking if the Tribe wished to participate in the LTEMP process	February 15, 2012: Mr. Yeatts indicated that he will follow up with Leigh Kuwanwiswima, THPO, to see if the Cooperating Agency form had been sent in.
	February 15, 2012: Ms. Cohen spoke with Mr. Yeatts regarding Hopi participation as a Cooperating Agency in the LTEMP process. She asked him to return the Cooperating Agency form to Argonne as soon as possible. She e-mailed another copy of the November 2011 letter and the form to Mr. Yeatts.	June 7, 2013: MOU signed.
	October 2014: MOU signed by joint-leads	January 23, 2015: Mr. Yeatts submitted Hopi comments on Chapters 1 and 2 to the joint leads.
	December 17, 2014: Preliminary Chapters 1 and 2 sent to Hopi Tribe for review.	January 23, 2015: Hopi Tribe submitted comments on preliminary Chapters 1 and 2.
	April 15, 2015: Preliminary Chapter 3 sent to Hopi Tribe for review.	September 30, 2015: Hopi Tribe submitted comments on LTEMP DEIS.
	July 1, 2015: LTEMP DEIS sent to Hopi Tribe for review.	
Hualapai Tribe	November 16, 2012: Rob Billerbeck, NPS, called and spoke with Kerry Christiansen regarding the LTEMP project.	November 16, 2012: Mr. Christiansen expressed that the Hualapai Tribe may be interested in having LTEMP representatives meet with the Hualapai Tribal Council as they felt this has not happened enough on past processes.
	January 5, 2012: The November 30, 2011, letter of invitation to become a cooperating agency letter was returned to Argonne. The letter was resent via e-mail to Loretta Jackson-Kelly, THPO. Ms. Jackson-Kelly was informed that the deadline for informing the lead-agencies if the Hualapai wished to be a cooperating agency was Friday January 6, 2012, and asked Ms. Jackson-Kelly to let her know if the Hualapai needed more time.	January 6, 2012: Ms. Jackson-Kelly returned the Cooperating Agency form via fax. The Hualapai would like to be a Cooperating Agency.

**TABLE N-2 (Cont.)**

Tribe	Additional Joint Lead/Argonne Follow-up	Tribal Comment/Responses
Hualapai Tribe (Cont.)	<p>December 16, 2013: Jim May, Argonne, spoke with Peter Bungart and Earlene Havatone, Exec. Director of Grand Canyon West, about the impacts of Glen Canyon Dam releases on the Hualapai's river-running businesses. Mr. May encouraged Ms. Havatone to try to quantify the impacts and to include pictures of the kinds of damage and concerns that the Hualapai have.</p> <p>October 2014: MOU signed by joint-leads.</p> <p>December 17, 2014: Preliminary Chapters 1 and 2 sent to the Hualapai Tribe for review.</p> <p>April 15, 2015: Preliminary Chapter 3 sent to the Hualapai Tribe for review.</p> <p>July 1, 2015: LTEMP EIS sent to the Hualapai Tribe for review.</p>	<p>October 4, 2012: MOU signed.</p> <p>April 8, 2013: Mr. Bungart informed Ms. Rinkevich that the Hualapai already submitted their request for funding. Ms. Jackson-Kelly and he requested a presentation by LTEMP representatives at an open house at the next council meeting on May 3, 2013.</p> <p>August 16, 2013: Mr. Bungart sent a follow-up e-mail in response to a discussion held at the Tribal Values Workshop on Tuesday August 6, 2013, with suggested performance metrics that would be both practical and useful for Hualapai resources of concern.</p> <p>December 16, 2013: Major concerns expressed by Ms. Havatone include bank erosion, difficulty accessing docks, tougher navigation in a narrowing channel, difficulty in accessing the shoreline up steep banks and excessive wear and tear on outboard motors. Ms. Havatone indicated that she had not tried to quantify the effects of the impacts before, but she thought she could.</p> <p>April 16, 2015: The Hualapai Tribe submitted comments on preliminary Chapters 1, 2, and 3.</p> <p>September 30, 2015: The Hualapai Tribe submitted comments on the LTEMP DEIS.</p>
Jicarilla Apache Nation	<p>January 26, 2012: John Halliday, DOI, called Jeffrey Blythe regarding the November 2011 LTEMP letter asking if the Tribe wished to participate in the LTEMP process.</p>	<p>January 26, 2012: Mr. Blythe indicated that the Jicarilla Apache Nation did not wish to participate in the LTEMP process.</p>
Kaibab Band of Paiute Indians	<p>May/June/July 2012: MOU signed by joint-leads.</p> <p>December 17, 2014: Preliminary Chapters 1 and 2 sent to Kaibab Band of Paiute Indians for review.</p> <p>April 15, 2015: Preliminary Chapter 3 sent to Kaibab Band of Paiute Indians for review.</p>	<p>February 15, 2011: The Cooperating Agency form as signed and returned.</p> <p>May 2, 2012: MOU signed.</p> <p>January 6, 2015: Mr. Bullets inquired as to when Chapter 3 would be available for review by Tribal Representatives.</p>

**TABLE N-2 (Cont.)**

Tribe	Additional Joint Lead/Argonne Follow-up	Tribal Comment/Responses
Kaibab Band of Paiute Indians (Cont.)	May/June/July 2012: MOU signed by joint-leads.	February 15, 2011: The Cooperating Agency form as signed and returned.
	December 17, 2014: Preliminary Chapters 1 and 2 sent to Kaibab Band of Paiute Indians for review.	May 2, 2012: MOU signed.
	April 15, 2015: Preliminary Chapter 3 sent to Kaibab Band of Paiute Indians for review.	January 6, 2015: Mr. Bullets inquired as to when Chapter 3 would be available for review by Tribal Representatives.
	July 1, 2015: LTEMP DEIS sent to Kaibab Band of Paiute Indians for review.	September 29, 2015: Kaibab Band of Paiute Indians submitted comments on the LTEMP DEIS. References a letter dated April 8, 2015, regarding comments on preliminary Chapters 1 and 2 that were never received by the joint-lead agencies.
	November 2, 2015: Reclamation informed Charley Bullets that the joint-leads had not received comments from the Kaibab Band of Paiute Indians as referenced in the September 29, 2015, letter and requested that Mr. Bullets resend the comments.	November 3, 2015: Mr. Bullets sent comments on Chapters 1 and 2. Comments received by joint-lead agencies.
Las Vegas Tribe of Paiute Indians	January 23, 2012: Janet Cohen, NPS, sent an e-mail to Kenny Anderson with a copy of the initial November 2011 LTEMP letter asking if the Tribe wished to participate in the LTEMP process.	January 27, 2012: Mr. Anderson indicated that the Las Vegas Tribe of Paiute Indians are likely interested in some level of consultation and would like to review the letters before saying for sure.
	January 27, 2012: Ms. Cohen called Kenny Anderson to follow up on an e-mail containing copies of letters sent on January 23, 2012.	
	February 15, 2012: Ms. Cohen sent an e-mail to Mr. Anderson with a copy of the initial November 2011 LTEMP letter asking if the Tribe wished to participate in the LTEMP process.	
	February 22, 2012: Ms. Cohen called Mr. Anderson and left a voicemail indicating that the NPS will have to assume that the Las Vegas Paiute are not interested in this project since they have not indicated otherwise.	

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**TABLE N-2 (Cont.)**

Tribe	Additional Joint Lead/Argonne Follow-up	Tribal Comment/Responses
Moapa Band of Paiute Indians	<p>January 23, 2012: Janet Cohen, NPS, sent an e-mail to Chairman Anderson containing copies of the initial November 2011 and December 2011 LTEMP letters asking if the Tribe wished to participate in the LTEMP process.</p> <p>January 27, 2012: Ms. Cohen called Chairman Anderson to follow-up on the e-mail sent out on January 23, 2012. Ms. Cohen asked Chairman Anderson to look at the e-mail and the letters and let the NPS know if the Moapa Band of Paiute Indians is interested in consultation or not.</p>	<p>January 27, 2012: Chairman Anderson indicated he was very backed up on reviewing incoming e-mail and he wasn't sure if he had seen the letters or the e-mail.</p>
	<p>) February 15, 2012: Janet Cohen, NPS, sent an e-mail to Chairman Anderson with the November 2011 and December 2011 LTEMP letters attached and asked if the Tribe was interested in consultation. The letter also indicated that if the NPS does not receive a response, the NPS will assume that the Moapa Band of Paiute Indians is not interested in consultation.</p>	
	<p>February 22, 2012: Ms. Cohen called Chairman Anderson and left a voicemail indicating the NPS will have to assume the Moapa are not interested in the project since they have not indicated otherwise.</p>	
Navajo Nation	<p>January 13, 2012: Janet Cohen, NPS, spoke with Jason John regarding the proper contact person for LTEMP. It was confirmed that The Department of Water Resources will represent the Tribe in its Cooperating Agency status. Ms. Cohen will follow up with the Historic Preservation Department in regards to Section 106 and cultural resources. Ms. Cohen provided the web address for the LTEMP project.</p> <p>May 20, 2013: Bruce Verhaaren, Argonne, spoke with Jason John, Navajo Department of Water and Power (NDWP). Bruce advised Mr. John to call Sarah Rinkevich, DOI to request a meeting.</p> <p>February 11, 2014: Mr. Verhaaren e-mailed a letter to Jason John, NDWP, and Tony Joe, Supervisory Anthropologist, from the joint-leads of the LTEMP EIS concerning the pending MOU between the Navajo Nation, the Bureau of Reclamation, and the National Park Service regarding the participation of the Navajo Nation as a cooperating agency for the EIS.</p>	<p>February 28, 2011: Letter from Tony Joe of the Navajo Nation with comments on the preliminary draft outline distributed at the kickoff meeting.</p> <p>January 9, 2012: Cooperating Agency form was submitted indicating the Navajo Nation would like to participate in the LTEMP as a Cooperating Agency.</p> <p>May 20, 2013: Mr. John requested a meeting or teleconference to discuss the LTEMP.</p> <p>February 21, 2014: Return receipt confirmation for the February 11, 2014, letter to Mr. John.</p> <p>February 21, 2014: Mr. John sent the joint-leads a letter from the Navajo Nation President Ben Shelly requesting government-to-government consultation.</p>

**TABLE N-2 (Cont.)**

Tribe	Additional Joint Lead/Argonne Follow-up	Tribal Comment/Responses
Navajo Nation (Cont.)	February 13, 2014: A hardcopy of the February 11, 2014, letter was sent to Tony Joe and Jason John.	February 24, 2014: Return receipt confirmation for the February 11, 2014, letter to Tony Joe.
	February 28, 2014: Rob Billerbeck, NPS spoke with Mr. John regarding government-to-government consultation.	February 28, 2014: Mr. John indicated that there may have been a misunderstanding. The Navajo Nation would like LTEMP representatives to explain the LTEMP process before signing the MOU. The Navajo Nation will likely wait until summer for formal government-to-government consultation.
	March 17, 2014: Mr. Billerbeck sent an e-mail to Mr. John in reply to the February 21, 2014, e-mail and attached letter requesting to meet with the project managers of LTEMP. Mr. Billerbeck apologized for not being able to meet on the requested dates and proposed new dates for a meeting and attached some additional information on the LTEMP project for the Navajo to review in advance.	March 17, 2014: Mr. John requested a meeting at 2 p.m. on April 10, 2014, in Window Rock, Arizona.
	October 2014: MOU signed by joint-leads	June 9, 2014: MOU Signed.
	December 17, 2014: Preliminary Chapters 1 and 2 sent to the Navajo Nation for review.	October 6, 2015: Navajo Nation submitted comments on the LTEMP DEIS.
	April 15, 2015: Preliminary Chapter 3 sent to the Navajo Nation for review.	
	July 1, 2015: LTEMP DEIS sent to the Navajo Nation for review.	
Ohkay Owingeh	January 23, 2012: John Halliday, DOI, called and left a message for Anthony Moquino regarding the November 2011 LTEMP letter asking if the Tribe wished to participate in the LTEMP process.	January 27, 2012: Mr. Moquino indicated that the Tribe did not wish to participate in the LTEMP process.
	January 26, 2012: Mr. Halliday left a message with Mr. Moquino asking if the Tribe wished to participate in the LTEMP process.	
	January 27, 2012: Mr. Halliday spoke with Mr. Moquino and asked if the Tribe would like to participate in the LTEMP process	
Paiute Indian Tribe of Utah	No follow-up needed. Tribe returned form and requested to be added to mailing list.	January 9, 2012: The Cooperating Agency form was returned. The Paiute Indian Tribe of Utah is not interested in being a Cooperating Agency, but would like to remain updated on the LTEMP.

**TABLE N-2 (Cont.)**

Tribe	Additional Joint Lead/Argonne Follow-up	Tribal Comment/Responses
Pascua Yaqui Tribe	January 24, 2012: John Halliday, DOI, called and left a message for Chairperson Peter Yucupicio regarding the November 2011 LTEMP letter asking if the Tribe wished to participate in the LTEMP process.	No response.
	January 26, 2012: Mr. Halliday called and left another message for Chairman Yucupicio.	
	January 27, 2012: Mr. Halliday called and left another message for Chairman Yucupicio.	
	February 6, 2014: Mr. Halliday called and left another message for Chairman Yucupicio.	
	February 14, 2014: Mr. Halliday called and left another message for Chairman Yucupicio.	
Pueblo of Acoma	January 23, 2012: John Halliday, DOI, called and left a message for Theresa Pasquale regarding the November 2011 LTEMP letter asking if the Tribe wished to participate in the LTEMP process.	No response.
	January 26, 2012: Mr. Halliday left another message for Ms. Pasquale.	
	January 27, 2012: Mr. Halliday left another message for Ms. Pasquale.	
	February 14, 2012: Mr. Halliday left another message for Ms. Pasquale.	
Pueblo of Cochiti	January 23, 2012: John Halliday, DOI, called and left a message for Jacob Pecos, Director, Department of Natural Resources, regarding the LTEMP letter asking if the Tribe wished to participate in the LTEMP process.	No response.
	January 26, 2012: Mr. Halliday left another message for Mr. Pecos.	
	January 27, 2012: Mr. Halliday left another message for Mr. Pecos.	
	February 14, 2012: Mr. Halliday left another message for Mr. Pecos.	

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**TABLE N-2 (Cont.)**

Tribe	Additional Joint Lead/Argonne Follow-up	Tribal Comment/Responses
Pueblo of Jemez	January 23, 2012: John Halliday, DOI, called and left a message for Natural Resources Director Christopher Toya regarding the LTEMP letter asking if the Tribe wished to participate in the LTEMP process.	No response.
	January 26, 2012: Mr. Halliday left another message for Mr. Toya.	
	January 27, 2012: Mr. Halliday left another message for Mr. Toya.	
	February 14, 2012: Mr. Halliday left another message for Mr. Toya.	
Pueblo of Laguna	January 23, 2012: John Halliday, DOI, called and was referred from the Governor's Office to Tribal Staff Member Adam Ringia and left a message for him regarding the November 2011 LTEMP letter asking if the Tribe wished to participate in the LTEMP process.	January 26, 2012: Mr. Ringia indicated that the Pueblo of Laguna does not wish to participate in the LTEMP process.
	January 26, 2012: Mr. Halliday called Mr. Ringia regarding the November 2011 LTEMP letter asking if the Tribe wished to participate in the LTEMP process.	
Pueblo of Nambe	January 23, 2012: John Halliday, DOI, called and left a message for Steve Romero regarding the November 2011 LTEMP letter asking if the Tribe wished to participate in the LTEMP process.	January 27, 2012: Ms. Carnevale informed Mr. Halliday that she is the new Tribal Environmental Officer. She indicated that the Tribe would like to schedule a consultation meeting.
	January 27, 2012: Mr. Halliday spoke with Nichole Carnevale regarding the November 2011 LTEMP letter asking if the Tribe wished to participate in the LTEMP process.	May 3, 2012: Mary Barger received an e-mail from Ms. Carnevale indicating that the Tribe would not like to actively participate in LTEMP but would like to remain on the mailing list.
Pueblo of Pojoaque	January 24, 2012: John Halliday, DOI, called and left message for Vernon Lujan, THPO, regarding the LTEMP letter asking if the Tribe wished to participate in the LTEMP process	March 29, 2012: Mr. Halliday received a message from Mr. Lujan indicating that the Tribe would like to participate in the LTEMP process.
	January 26, 2012: Mr. Halliday called and left another message for Mr. Lujan.	May 03, 2012: The Pueblo of Pojoaque indicated that they were interested in setting up a meeting and would get back to Ms. Barger, Reclamation, with a date to meet.
	January 27, 2012: Mr. Halliday called and left another message for Mr. Lujan.	
	February 14, 2012: Mr. Halliday called and left another message for Mr. Lujan.	May 14, 2012: Linda was not familiar with the project and gave Ms. Barger Mr. Lujan's cell phone.

**TABLE N-2 (Cont.)**

Tribe	Additional Joint Lead/Argonne Follow-up	Tribal Comment/Responses
Pueblo of Pojoaque (Cont.)	<p>May 14, 2012: Ms. Barger called Mr. Lujan to schedule a meeting time and spoke with Linda, a member of his staff. Ms. Barger left Mr. Lujan a message on his cell phone.</p> <p>May 16, 2012: Ms. Barger called and left a voicemail for Mr. Lujan. She offered to put them on the mailing list or schedule a meeting.</p> <p>May 17, 2012: Ms. Barger left another voicemail with Mr. Lujan.</p> <p>May 21, 2012: Ms. Barger called and spoke with Mr. Lujan.</p> <p>May 22, 2012: Adrienne Carr, Argonne e-mailed a copy the November 2011 LTEMP letter and the Draft Tribal Consultation Plan to Mr. Lujan for review.</p> <p>May 29, 2012: Ms. Barger called Mr. Lujan to follow-up on the documents sent on May 22 and see if the Pueblo was interested in participating in LTEMP.</p> <p>June 09, 2012: Ms. Barger spoke to Mr. Lujan regarding LTEMP participation.</p> <p>June 19, 2012: Ms. Barger left a message with Mr. Lujan regarding participation in the LTEMP.</p> <p>June 25, 2012: Ms. Barger left a message with Mr. Lujan. She stated that since she has not heard from him, the joint-leads are assuming that the Pueblo of Pojoaque is not interested in meeting on the EIS, and to contact her by June 29 if her assumption was incorrect.</p>	<p>May 21, 2012: Mr. Lujan requested more information so he could decide if the Pueblo of Pojoaque should consult.</p> <p>May 29, 2012: Mr. Lujan indicated that he did not have time to review the project information that Ms. Barger sent.</p> <p>June 9, 2012: Mr. Lujan indicated that he forwarded the information to the Governor’s office and was awaiting a recommendation.</p>
Pueblo of San Felipe	<p>January 23, 2012: John Halliday, DOI called and was referred from the Governor’s Office to Tribal Administrator Daryl Candelaria. Mr. Halliday left him a message regarding the November 2011 LTEMP letter asking if the Tribe wished to participate in the LTEMP process.</p> <p>January 26, 2012: Mr. Halliday called and left another message with Mr. Candelaria.</p> <p>January 27, 2012: Mr. Halliday called and left another message with Mr. Candelaria.</p>	<p>No response.</p>

**TABLE N-2 (Cont.)**

Tribe	Additional Joint Lead/Argonne Follow-up	Tribal Comment/Responses
Pueblo of San Felipe (Cont.)	February 14, 2012: Mr. Halliday called and left another message with Mr. Candelaria.	No response.
Pueblo of Sandia	January 23, 2012: Mr. Halliday, DOI, called and left a message for Environmental Director Frank Chavez regarding the November 2011 LTEMP letter asking if the Tribe wished to participate in the LTEMP process.  January 26, 2012: Mr. Halliday called and spoke with Mr. Chavez regarding Pueblo of Sandia participation in the LTEMP process.	January 26, 2012: Mr. Chavez indicated the Pueblo of Sandia did not want to participate
Pueblo of Santa Ana	January 24, 2012: John Halliday, DOI, called and spoke with Tribal Liaison Ben Robbins regarding the November 2011 LTEMP letter asking if the Tribe wished to participate in the LTEMP process.  January 25, 2012: Mr. Halliday e-mailed copies of the November 2011 letter to Ben.  February 06, 2012: Mr. Halliday called and left a message for Mr. Robbins regarding the November 2011 LTEMP letter asking if the Tribe wished to participate in the LTEMP process.  February 14, 2012: Mr. Halliday called and spoke with Mr. Robbins regarding Pueblo of Santa Ana participation in the LTEMP process.	January 24, 2012: Mr. Robbins asked Mr. Halliday to e-mail him another copy of the letter and he would ask the council and get back to John.  February 14, 2012: Mr. Robbins indicated that the Tribe did not wish to participate in the LTEMP process, but would like to continue receiving information and updates.
Pueblo of Santa Clara	January 23, 2012: John Halliday, DOI, called to speak with Ben Chavarria, NAGPRA Contact, regarding the November 2011 LTEMP letter asking if the Tribe wished to participate in the LTEMP process.  January 24, 2012: Mr. Halliday called and left a message for Mr. Chavarria regarding the Tribe's participation in the LTEMP process.  January 26, 2012: Mr. Halliday called and left a message for Mr. Chavarria regarding the Tribe's participation in the LTEMP.	January 23, 2012: Mr. Halliday spoke with a Tribal staff member who informed John that the Tribe was closed for the day and he should call back the next day.  January 26, 2012: Mr. Chavarria returned Mr. Halliday's phone call. He informed Mr. Halliday that the Tribe does not wish to participate, but would like to remain on the mailing list.

**TABLE N-2 (Cont.)**

Tribe	Additional Joint Lead/Argonne Follow-up	Tribal Comment/Responses
Pueblo of Tesuque	January 23, 2012: John Halliday, DOI, called and spoke with Governor Mark Mitchell regarding the November 2011 LTEMP letter asking if the Tribe wished to participate in the LTEMP process.	January 23, 2012: Governor Mitchell informed Mr. Halliday that he would ask the council and get back to him.
	February 6, 2012: Mr. Halliday left a message for Governor Mitchell regarding the Pueblo's participation in the LTEMP process.	
	February 14, 2012: Mr. Halliday left a message for Governor Mitchell regarding the Pueblo's participation in the LTEMP process.	
Pueblo of Zia	January 23, 2012: John Halliday, DOI, called and left a message for Peter Pino regarding the November 2011 LTEMP letter asking if the Tribe wished to participate in the LTEMP process.	February 29, 2012: Mr. Pino called Mr. Halliday. He said that the Pueblo of Zia would like LTEMP Representatives to come out to the Pueblo and make a presentation on this subject.
	January 26, 2012: Mr. Halliday called and left a message for Peter regarding the November 2011 LTEMP letter asking if the Tribe wished to participate in the LTEMP process.	February 18, 2014: Delivery Confirmation of February 13 letter signed by Tammy L. Pino.
	January 27, 2012: Mr. Halliday called and left a message for Mr. Pino regarding the November 2011 LTEMP letter asking if the Tribe wished to participate in the LTEMP process.	
	February 6, 2012: Mr. Halliday called and left a message for Mr. Pino regarding the November 2011 LTEMP letter asking if the Tribe wished to participate in the LTEMP process.	
	February 14, 2012: Mr. Halliday called and left a message for Mr. Pino regarding the November 2011 LTEMP letter asking if the Tribe wished to participate in the LTEMP process.	
	May 3, 2012: Mary Barger spoke with the Pueblo of Zia. They will get back to her on a date for a meeting.	
	May 14, 2012: Ms. Barger spoke with Tribal Administrator Peter Pino and a meeting was scheduled for May 23.	

**TABLE N-2 (Cont.)**

Tribe	Additional Joint Lead/Argonne Follow-up	Tribal Comment/Responses
Pueblo of Zia (Cont.)	<p>April 8, 2013: Sarah Rinkevich, Tribal Liaison, left a message for Peter regarding the Tribe's participation in LTEMP.</p> <p>February 11, 2014: Bruce Verhaaren, Argonne, sent an e-mail to Governor David Pino regarding the Pueblo of Zia participation in the LTEMP process. The letter indicated that despite many attempts, Argonne and the joint-leads have not received a response from the Pueblo of Zia since January 2013 and advised that they would be moved to the mailing list unless otherwise instructed by February 28, 2014.</p> <p>February 13, 2014: Argonne sent a hardcopy of the above-referenced letter to Governor Pino.</p>	
Pueblo of Zuni	<p>November 10, 2011: Janet Cohen, NPS, presented information about the LTEMP to Kurt Dongoske and members of the Zuni Cultural Resources Advisory Team (ZCRAT).</p> <p>December 13, 2011: Ms. Heffernan met with the Zuni about another matter, but was advised by Mr. Dongoske that the Pueblo of Zuni will be a cooperating agency.</p> <p>January 9, 2012: Ms. Cohen confirmed the receipt of the Zuni's request to be a Cooperating Agency with Kurt Dongoske.</p> <p>August/September 2012: MOU signed by joint-leads.</p> <p>April 17, 2014: Bruce Verhaaren, Argonne, informed Mr. Dongoske that a draft copy of Chapter 3 should be available for Tribal review the week of April 21.</p> <p>April 30, 2014: Mr. Verhaaren informed Mr. Dongoske that Chapter 3 is still undergoing review by the joint-leads and he is not sure when the Tribes will be able to view it.</p> <p>May 5, 2014: Verhaaren informed Mr. Dongoske that text submitted by the Pueblo of Zuni was incorporated into the various technical areas of Chapter 3 and that the chapter will be ready for review upon approval of project management.</p>	<p>November 4, 2011: Mr. Dongoske called Beverly Heffernan, Reclamation, with some questions on the general LTEMP process. He asked why there was no public meeting in New Mexico and asked that Ms. Cohen provide info about the project. He indicated that Zuni would want a presentation sooner rather than later by John Wessels, NPS, and Larry Walkoviak, Reclamation.</p> <p>December 22, 2011: Governor Arlen Quetawki, Sr., sent a letter indicating that the Zuni would like to be a cooperating agency on the LTEMP. Mr. Quetawki advised that Mr. Dongoske is the primary representative of the Zuni for the LTEMP. The Cooperating Agency form was signed and enclosed.</p> <p>July 26, 2012: MOU signed.</p> <p>March 25, 2014: Mr. Dongoske requested a copy of Chapter 3 so that the ZCRAT could review how the Zuni information had been included.</p> <p>February 7, 2015: Pueblo of Zuni submitted comments on preliminary Chapters 1 and 2.</p> <p>June 24, 2015: Pueblo of Zuni submitted comments on preliminary Chapter 3.</p>

**TABLE N-2 (Cont.)**

Tribe	Additional Joint Lead/Argonne Follow-up	Tribal Comment/Responses
Pueblo of Zuni (Cont.)	December 17, 2014: Preliminary Chapters 1 and 2 sent to Pueblo of Zuni for review.	September 29, 2015: Pueblo of Zuni submitted comments on LTEMP DEIS.
	April 15, 2015: Preliminary Chapter 3 sent to Pueblo of Zuni for review.	
	July 1, 2015: LTEMP DEIS sent to Pueblo of Zuni for review.	
Salt River Pima-Maricopa Indian Community	February 2012: Steve Daron, LMNRA, called the Salt River Maricopa Indian Community three times, but there was no response.	No response.
	May 14, 2012: Mr. Daron left a few messages with Shane Antone in the Cultural Resource Department but there was no response.	
San Carlos Apache Tribe	January 24, 2012: John Halliday, DOI, called the Tribal Administration staff regarding the November 2011 LTEMP letter asking if the Tribe wished to participate in the LTEMP process. Mr. Halliday informed Reclamation about the name and address change of the Tribe.	January 24, 2014: A staff person informed Mr. Halliday that a new letter should be sent to the correct name and address.
	January 26, 2012: A copy of the November 2011 letter was sent to the new address.	February 14, 2012: Chairman Rambler requested that Mr. Halliday re-send the LTEMP letter via e-mail and he would get back to Mr. Halliday.
	January 30, 2012: A copy of the November 2011 letter was sent via e-mail.	No further response.
	February 14, 2012: Mr. Halliday called Chairman Terry Rambler regarding the November 2011 LTEMP letter asking if the Tribe wished to participate in the LTEMP process. As requested, Mr. Halliday sent an e-mail to Chairman Rambler with the LTEMP letter attached.	
Southern Ute Tribal Council	January 23, 2012: John Halliday, DOI, called and left a message for Native American Graves Protection and Repatriation Act (NAGPRA) Coordinator Neil Cloud regarding the November 2011 LTEMP letter asking if the Tribe wished to participate in the LTEMP process.	January 27, 2012: Mr. Naranjo informed Mr. Halliday that the Southern Ute Tribal Council did not wish to participate in the LTEMP process.
	January 26, 2012: Mr. Halliday called and left a message for Mr. Cloud regarding the November 2011 LTEMP letter asking if the Tribe wished to participate in the LTEMP process.	

**TABLE N-2 (Cont.)**

Tribe	Additional Joint Lead/Argonne Follow-up	Tribal Comment/Responses
Southern Ute Tribal Council (Cont.)	January 27, 2012: Mr. Halliday called and was referred to Mr. Alden Naranjo who was serving as the Acting Tribal NAGPRA representative. Mr. Halliday spoke to Mr. Naranjo regarding the LTEMP letter asking if the Tribe wished to participate in the LTEMP process.	
Tohono O’odham Nation	January 24, 2012: John Halliday, DOI, called and left a message for Dr. Ned Norris, Jr., regarding the November 2011 LTEMP letter asking if the Tribe wished to participate in the LTEMP process.  January 26, 2012: Mr. Halliday left another message for Dr. Norris regarding the Tribe’s participation in the LTEMP process.  January 27, 2012: Mr. Halliday left another message for Dr. Norris regarding the Tribe’s participation in the LTEMP process.  February 06, 2012: Mr. Halliday left another message for Dr. Norris regarding the Tribe’s participation in the LTEMP process.	May 03, 2014: Mary Barger, Reclamation, received an e-mail from Peter Steere, THPO, indicating that the Tribe does not wish to participate in the LTEMP process.
Tonto Apache Tribe	January 24, 2012: John Halliday, DOI, called and left a message for Chairman Ivan Smith regarding the November 2011 LTEMP letter asking if the Tribe wished to participate in the LTEMP process.  January 26, 2012: Mr. Halliday called and left a message for Chairman Smith regarding the Tribe’s participation in the LTEMP process.  January 27, 2012: Mr. Halliday called and left a message for Chairman Smith regarding the Tribe’s participation in the LTEMP process.  February 06, 2012: Mr. Halliday called and left a message for Chairman Smith regarding the Tribe’s participation in the LTEMP process.	No response

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**TABLE N-2 (Cont.)**

Tribe	Additional Joint Lead/Argonne Follow-up	Tribal Comment/Responses
Ute Indian Tribe	<p>January 23, 2012: John Halliday, DOI, called and left a message for Betsy Chapoose in the Cultural Rights and Protection Office regarding the November 2011 LTEMP letter asking if the Tribe wished to participate in the LTEMP process.</p> <p>January 26, 2012: Mr. Halliday called and left a message for Ms. Chapoose, regarding the Tribe’s participation in the LTEMP process.</p> <p>January 27, 2012: Mr. Halliday called and left a message for Ms. Chapoose, regarding the Tribe’s participation in the LTEMP process.</p>	<p>February 1, 2012: Ms. Chapoose returned Mr. Halliday’s phone call and informed him that the Tribe did not wish to participate in the LTEMP process, but would like to remain on the mailing list.</p>
Ute Mountain Ute Tribe	<p>February 29, 2012: Rosemary Sucec, Glen Canyon National Recreation Area (GCNRA), called and spoke with Lynn Hartman regarding the November 2011 LTEMP letter asking if the Tribe wished to participate in the LTEMP process.</p>	<p>February 29, 2012: Ms. Hartmann indicated that the Tribe did not wish to participate in the LTEMP process, but would like to remain on the mailing list.</p>
White Mountain Apache	<p>January 23, 2012: John Halliday, DOI, called and left a message for Chairman Ronny Lupe regarding the November 2011 LTEMP letter asking if the Tribe wished to participate in the LTEMP process.</p> <p>January 26, 2012: Mr. Halliday called and spoke with Chairman Lupe regarding the Tribe’s participation in the LTEMP process.</p> <p>May 3, 2012: Mary Barger, Reclamation, spoke with Mark Altaha, THPO, about a consultation meeting. She also sent a follow-up e-mail to Mr. Altaha with the November 2011 LTEMP letter and requested Mr. Altaha let her know what kind of follow-up would be needed.</p>	<p>January 26, 2012: Mr. Lupe requested that LTEMP representatives meet with the Tribe to talk about the project and asked Mr. Halliday to coordinate the meeting with the Tribal Hydrologist, Cheryl Pailzot.</p> <p>May 3, 2012: Mr. Altaha informed Mary that it was not clear why the Chairman told Mr. Halliday that he wanted a meeting since the project was so far away. Mr. Altaha indicated he would look into the matter and get back to Ms. Barger.</p> <p>May 12, 2012: Mr. Altaha responded to Ms. Barger’s e-mail and indicated he would forward her request to Ms. Pailzot as she was scheduled to meet with Chairman Lupe regarding the project.</p> <p>May 15, 2012: Ms. Pailzot e-mailed Ms. Barger and informed her she will recommend to Chairman Lupe that the White Mountain Apache do not need to be cooperators on the EIS.</p>

**TABLE N-2 (Cont.)**

Tribe	Additional Joint Lead/Argonne Follow-up	Tribal Comment/Responses
Yavapai-Apache Nation	<p>May 15, 2012: Jan Balsom, GCNP, called Christopher Coder regarding the Yavapai-Apache Nation’s interest in a meeting to discuss the LTEMP process.</p> <p>September 27, 2012: Bruce Verhaaren, Argonne, sent Christopher an e-mail asking him to confirm that the Yavapai-Apache Nation no longer wished to function as a cooperating agency due to the changing circumstances and only a peripheral interest, as stated in an earlier conversation.</p> <p>October 10, 2012: Mr. Verhaaren sent a follow-up e-mail to Christopher Coder asking him to confirm that the Tribe no longer wishes to act as a cooperating agency for LTEMP.</p> <p>October 23, 2012: Mr. Verhaaren sent a follow-up e-mail to Christopher Coder asking him to confirm that the Tribes no longer wishes to act as a cooperating agency for LTEMP.</p>	<p>January 9-2012: Mr. Coder, Tribal Archaeologist, returned the Cooperating Agency form indicating that the Yavapai-Apache would like to be a Cooperating Agency.</p> <p>May 15, 2012: Mr. Coder returned Ms. Balsom’s call and left a voicemail indicating that the Yavapai-Apache Nation would like to see the final set of alternatives before determining if they would like to have a meeting.</p> <p>October 10, 2012: Mr. Coder responded to Mr. Verhaaren’s e-mail and indicated that he will confirm the position of the Yavapai-Apache Nation in regard to LTEMP participation at their next meeting and get back Mr. Verhaaren.</p> <p>October 24, 2012: Mr. Coder sent Mr. Verhaaren an e-mail confirming that the Tribe did not wish to participate as a Cooperating Agency anymore.</p>
Yavapai-Prescott Indian Tribe	<p>February 1, 2012: Steve Daron, LMNRA, called the Tribe and was directed to Greg Glassco. Mr. Daron left a message for Greg regarding the November 2011 LTEMP letter asking if the Tribe wished to participate in the LTEMP process.</p>	<p>February 1, 2012: Greg Glassco sent an e-mail to Mr. Daron indicating that the Tribe does not need to be consulted for LTEMP.</p>

N-23

1  
2

1 everyone. Every effort was made to hold a meeting when everyone was available; however, due  
2 to schedule conflicts there were instances when individuals could not attend and make-up  
3 meetings were held for these individuals. Tribes were sent an e-mail invitation prior to each  
4 meeting, as well as a meeting reminder with an agenda, call-in number, password, and any  
5 pertinent materials needed for review before the meeting. Meeting notes and presentations were  
6 distributed shortly after the meetings when requested. Meeting notes and other important  
7 documents related to the LTEMP EIS development process were also sent to those Tribes who  
8 wished to remain on the mailing list. Reclamation and NPS will continue to provide consultation  
9 opportunities for interested Tribes and keep all Tribal entities informed about the NEPA process  
10 for the EIS. A list of major face-to-face meetings, webinars, and conference calls involving  
11 Tribes is provided in Table N-3.

12  
13 To date, the joint-leads have held individual Tribal consultation meetings with the Fort  
14 Mojave Indian Tribe, the Fort Yuma Quechan, the Havasupai Tribe, the Hualapai Tribe, the Hopi  
15 Tribe, the Kaibab Paiute Indian Tribe, the Navajo Nation, the Pueblo of Zia, and the Pueblo of  
16 Zuni. During these meetings, the background and overview of LTEMP process and was discussed as  
17 well as specific Tribal concerns related to the LTEMP EIS. A summary of these meetings is provided  
18 in Table N-4.

19  
20 Throughout the early stages of EIS development, many Tribes indicated the need for  
21 monetary assistance to be able to fully contribute Tribal knowledge to the EIS. The joint-leads  
22 recognized that in some cases it was appropriate to pay a fee for professional services to address  
23 the travel costs of Tribal representatives who possess special cultural knowledge or may  
24 experience a potential loss of income by being away from their regular jobs to attend a  
25 consultation meeting. At the March 14, 2013, Tribal Workshop, the joint-leads requested from  
26 the Tribes funding proposals detailing the cost of travel and compensation of Tribal  
27 Representatives for their participation in the LTEMP. The joint-leads agreed to fund—to the  
28 extent possible—reimbursement of Tribal representatives (elders, or experts not already being  
29 paid salaries by the Tribe) to participate LTEMP meetings by invitation and agreement in  
30 advance and the cost of deliverables for editing/preparing specific information such as the  
31 Affected Environment section of the EIS or requested data or reports regarding affected sites, if  
32 those materials are not already publically available. Tasks not funded included review of EIS  
33 chapters or drafts and fees for Tribal representatives (such as THPOs) who are being paid by the  
34 Tribes to participate in the cooperating agency meetings. Tribes submitted proposals and were  
35 funded as appropriate.

36  
37 Throughout the course of developing the EIS, Cooperating Agency Tribes were asked to  
38 review and provide comments on the *Tribal Consultation Plan for the Glen Canyon Dam Long-  
39 Term Experimental and Management Plan Environmental Impact Statement, Draft Performance  
40 Criteria and Draft Objectives for the Glen Canyon Dam Long-Term Experimental and  
41 Management Plan, and the Preliminary Draft Alternatives*. Tribes submitted comments and  
42 suggestions and the joint-leads incorporated them as appropriate. Cooperating Agency Tribes  
43 were also afforded the opportunity for preliminary review of select chapters of the preliminary  
44 DEIS prior to distribution to other Cooperating Agencies. They were also sent revised copies of  
45 the DEIS when it was distributed to Cooperating Agencies. The joint-lead agencies also sent  
46 responses to the Tribes who submitted comments.

1 **TABLE N-3 Summary of Major Face-to-Face Meetings, Webinars, and Conference Calls**  
 2 **Involving Tribes**

Date	Meeting	Meeting Type	Location
February 11, 2011	LTEMP EIS Kickoff Meeting	Face-to-Face	Tempe, AZ
February 24, 2011	First Cooperating Agency Meeting	Face-to-Face	Tempe, AZ
April 4–5, 2012	Public Meeting to Discuss Alternatives Development	Face-to-Face	Flagstaff, AZ
August 10, 2012	Meeting with Consulting and Cooperating Tribes	Face-to-Face	Tempe, AZ
January 25, 2013	Tribal Workshop	Face-to-Face	Phoenix, AZ
March 14, 2013	Tribal Participation Workshop	Face-to-Face	Flagstaff, AZ
April 12, 2013	Tribal Representatives Meeting	Conference Call	
April 24, 2013	Tribal Consultation Meeting	Conference Call	
July 11, 2013	Tribal Values Webinar	Webinar	
July 25, 2013	Tribal Values Webinar (make-up)	Webinar	
August 1, 2013	Stakeholder Webinar—Preparation for the August 5 Stakeholder Workshop	Webinar	
August 5, 2013	Stakeholder Workshop—Structured Decision Analysis	Face-to-Face	Flagstaff, AZ
August 21, 2013	Stakeholder Workshop—Follow-up with Tribes	Conference Call	
November 5, 2013	Tribal Values Workshop	Face-to-Face	Flagstaff, AZ
November 19, 2013	Stakeholder Webinar—Alternatives, Performance Metrics, and Modeling	Webinar	
December 3, 2013	Stakeholder Webinar—Socioeconomics	Webinar	
March 18, 2014	Stakeholder Webinar—Swing Weighting	Webinar	
March 31–April 1, 2014	Stakeholder Workshop—Modeling Results, Structured Decision Analysis, and Swing-weighting Exercise	Face-to-Face	Phoenix, AZ
June 23, 2014	Meeting—Discussion of LTEMP EIS hybrid alternative components	Conference Call	
August 12, 2014	Meeting—Update on the LTEMP EIS	Conference Call	
October 6, 2014	Meeting—Discussion of Tribal input to LTEMP EIS	Conference Call	
October 16, 2014	Meeting—Discussion of the LTEMP Programmatic Agreement	Conference Call	
January 23, 2015	Meeting to discuss Tribal Input on Chapters 1 and 2	Conference Call	
March 27, 2015	Technical Webinar on LTEMP Power Systems and Rate Payer Analyses	Webinar	

1 **TABLE N-4 Summary of Individual Tribal Consultation Meetings to Date**

Tribe	Date	Attendees	Location
Fort Mojave Indian Tribe	May 4, 2012	Reclamation, NPS, Representatives of the Fort Mojave Indian Tribe	Needles, CA
Fort Yuma Quechan	June 22, 2012	Reclamation, NPS, Representatives of the Fort Yuma Quechan	Near Yuma, AZ
The Havasupai Tribe	November 8, 2013	Reclamation, NPS, DOI Tribal Liaison, Havasupai Tribal Council	Supai Village, AZ
The Hualapai Tribe	March 5, 2012	Reclamation, Hualapai Tribal Council	Peach Springs, AZ
	May 3, 2013	DOI, Argonne, Hualapai Tribal Council	Peach Springs, AZ
	July 30, 2014	Reclamation, NPS, GCMRC, DOI, Hualapai Tribal Council	Peach Springs, AZ
The Hopi Tribe	May 16, 2013	DOI, Argonne, Hopi Cultural Resources Advisory Team	Kykotsmovi Village, AZ
Kaibab Paiute Indian Tribe	April 19, 2012	Reclamation, NPS, Kaibab Paiute Indian Tribe Tribal Council	Fredonia, AZ
	July 22, 2013	DOI, Representatives of the Southern Paiute Consortium	Pipe Springs, AZ
	October 22, 2013	DOI, Director of the Southern Paiute Consortium, University of Arizona's Anthropology Department	Tucson, AZ
Navajo Nation	April 17, 2013	DOI, Representatives from the Navajo Nation	Conference Call
	April 10, 2014	Reclamation, NPS, DOI, Representatives of the Navajo Nation	Flagstaff, AZ
	November 4, 2015	Reclamation, NPS, DOI, Representatives of the Navajo Nation	Window Rock, AZ
Pueblo of Zia	May 23, 2012	Reclamation, NPS, Representatives from the Pueblo of Zia	Zia Pueblo, NM
Pueblo of Zuni	June 12, 2012	Reclamation, NPS, Pueblo of Zuni Tribal Council	Zuni Pueblo, NM
	May 17, 2013	DOI, Zuni Cultural Resources Advisory Team (ZCRAT)	Zuni Pueblo, NM
	October 25, 2013	NPS, DOI, Kurt Dongoske	Conference Call
	October 10, 2014	NPS, DOI, Pueblo of Zuni ZCRAT	Zuni Pueblo, NM
	August 18, 2015	DOI, NPS, FWS, Pueblo of Zuni ZCRAT	Zuni Pueblo, NM

1 At the start of the LTEMP, a document entitled *American Indian Perspectives and Values*  
2 *Related to the Glen Canyon Dam Long-term Experimental and Management Plan Environmental*  
3 *Impact Statement* was developed for inclusion as a chapter in the LTEMP EIS and distributed to  
4 the Cooperating and Consulting Tribes for review. After considering a number of comments  
5 received on the document and expressed at Tribal meetings, it was determined that Tribal  
6 concerns would best be incorporated throughout the EIS and would not be limited to one section.  
7 Instead, a Tribal Resources section (Section 3.9) was added to Chapter 3 (Affected Environment)  
8 and Tribal views and concerns were expressed here and incorporated into various resource areas  
9 throughout the chapter. Tribes were invited to contribute their own text to Chapter 3 and the  
10 Tribal Lands section (Section 1.5.2.3) of Chapter 1. For those Tribes who did not wish to write  
11 or did not have the resources to write the section themselves, Argonne National Laboratory  
12 (Argonne) provided text that was reviewed by a Tribal representative. To best incorporate Tribal  
13 views and concerns, Argonne reviewed meeting notes, ethnographic reports published for the  
14 1995 LTEMP EIS, and monitoring reports prepared for Tribal monitoring programs in the Canyon.  
15 Argonne requested additional relevant sources from Tribes that would be useful in the  
16 preparation of the chapter and information from these sources was incorporated into the EIS.  
17 Argonne communicated with Tribes through e-mail and phone during the preparation of  
18 Chapter 3 in order to ensure that Tribal views and concerns were being presented correctly.  
19

20 On April 2, 2014, after a stakeholder workshop presenting modeling results and  
21 explaining SDA, Mike Runge (DOI), sent the LTEMP swing-weighting exercise and a summary  
22 consequence table to Stakeholders, including Tribes, to complete and be used as input to be  
23 considered in the EIS. A follow-up webinar where Stakeholders could ask questions regarding  
24 swing-weighting was held on April 4, 2014, but there were no Tribal representatives in  
25 attendance. Participation in the swing-weighting exercise was voluntary and some Tribes chose  
26 not to participate. Others returned their results and the results were incorporated into the EIS.  
27

28 Chapters 1 and 2 of the preliminary LTEMP DEIS were sent to Tribes for review in  
29 December 2014. Chapter 3 of the LTEMP DEIS was sent to Tribes in for review in April 2015.  
30 A full copy of the LTEMP DEIS was sent to all Cooperating Agencies, including Tribes, in June  
31 2015. Tribes were encouraged to provide comments during all three comment periods.  
32 Comments were received from the Havasupai Tribe, Hopi Tribe, Hualapai Tribe, Kaibab Band of  
33 Paiute Indians, Navajo Nation, and Pueblo of Zuni.  
34

35 A listing of individual Tribal consultation meetings is provided in Table N-4, and an  
36 index of Tribal government consultation and coordination is provided in Table N-5. Table N-5  
37 includes a page number reference to copies of correspondence that are located in Attachment 2.  
38

## 39 **N.2 CONSULTATION WITH THE STATE HISTORIC PRESERVATION OFFICE** 40 **(SHPO)** 41

42  
43 This section presents the interactions that occurred as part of the NHPA Section 106  
44 review for the LTEMP EIS. A brief overview of the consultation process with State Historic  
45 Preservation Officers (SHPOs) is provided below.  
46

1 **TABLE N-5 Index of Project Tribal Government Consultation and Coordination Correspondence**

Date	Originating Agency/ Tribal Government	Recipient Organization	Page <sup>a</sup>
<b>Multiple Tribes</b>			
November 30, 2011	NPS, Reclamation	Various Tribes	N-74
December 8, 2011	NPS, Reclamation	Various Tribes	N-79
<b>Ak-Chin Indian Community</b>			
July 31, 2012	Louis Manuel Jr., Chairman, Ak-Chin Indian Community	John Wessels, Regional Director, NPS	N-83
<b>Gila River Indian Community</b>			
January 3, 2012	Barnaby Lewis, THPO, Gila River Indian Community	John Wessels, Regional Director, NPS	N-84
<b>Havasupai Tribe</b>			
February 27, 2012	Havasupai Tribe	NPS/Reclamation	N-85
June 21, 2012	Don Watahomigie, Chairman Havasupai Tribe	Kirk LaGory, Argonne	N-86
August 9, 2012	Adrienne Carr, Argonne; NPS; Reclamation	Don Watahomigie, Chairman Havasupai Tribe	N-88
August 29, 2012	Margaret Vick, Attorney for Havasupai	Kirk LaGory, Argonne	N-90
August 30, 2012	Kirk LaGory, Argonne	Margaret Vick, Attorney for Havasupai	N-95
<b>Hopi Tribe</b>			
August 27, 2013	Mike Yeatts, Hopi Cultural Preservation Office (HCPO)	Kirk LaGory, Argonne; NPS; Reclamation	N-96
<b>Hualapai Tribe</b>			
January 6, 2012	Hualapai Tribe	NPS/Reclamation	N-99
June 28, 2012	Peter Bungart, Hualapai Dept. of Cultural Resources	Kirk LaGory, Argonne	N-100
August 9, 2012	Adrienne Carr, Argonne on behalf of NPS/Reclamation	Loretta Jackson-Kelly, Director, Dept. of Hualapai Cultural Resources and Peter Bungart, Hualapai Dept. of Cultural Resources	N-103
<b>Navajo Nation</b>			
February 28, 2011	Tony Joe, Jr., Historic Preservation Department, Navajo Nation	NPS/Reclamation	N-106
January 9, 2012	Navajo Nation	NPS/Reclamation	N-108
July 17, 2012	Adrienne Carr, Argonne on behalf of NPS/Reclamation	Jason John, Navajo Department of Water and Power and Alan Downer, THPO	N-109
August 28, 2013	Tony Joe, Jr., Historic Preservation Department, Navajo Nation	Kirk LaGory, Argonne	N-111
February 11, 2014	Bruce Verhaaren, Argonne on behalf of NPS/Reclamation	Jason John, Navajo Department of Water and Power and Tony Joe, Jr., Historic Preservation Department, Navajo Nation	N-114

**TABLE N-5 (Cont.)**

Date	Originating Agency/ Tribal Government	Recipient Organization	Page
February 21, 2014	Delores Martinez and Laurinda M., Navajo Nation	Bruce Verhaaren, Argonne	N-117
	Jason John, Navajo Department of Water and Power and Ben Shelly, President Navajo Nation	Glen Knowles, Reclamation; Rob Billerbeck, NPS; and Bruce Verhaaren, Argonne	N-118
February 28, 2014	Rob Billerbeck, NPS	Jason John, Navajo Department of Water and Power	N-120
March 17, 2014	Rob Billerbeck, NPS	Jason John, Navajo Department of Water and Power	N-121
June 2, 2014	Rob Billerbeck, NPS and Glen Knowles, Reclamation	Walter Phelps, Council Delegate, Navajo Nation	N-125
June 3, 2014	Walter Phelps, Council Delegate, Navajo Nation	Rob Billerbeck, NPS and Glen Knowles, Reclamation	N-125
<b>Paiute Indian Tribe of Utah</b>			
January 9, 2012	Paiute Indian Tribe of Utah	NPS/Reclamation	N-126
<b>Pueblo of Zuni</b>			
December 22, 2011	Arlen Quetawki, Sr., Governor, Pueblo of Zuni	Larry Walkoviak, Regional Director, Reclamation and John Wessels, Regional Director NPS	N-127
<b>White Mountain Apache</b>			
May 15, 2012	Cheryl Pailzote, Water Resources Director, White Mountain Apache Tribe	Mary Barger, Reclamation	N-129
<b>Yavapai-Apache Nation</b>			
January 9, 2012	Yavapai-Apache Nation	NPS/Reclamation	N-130
October 10, 2012	Bruce Verhaaren, Argonne	Chris Coder, Tribal Archaeologist, Yavapai-Apache Nation	N-131
	Chris Coder, Tribal Archaeologist, Yavapai-Apache Nation	Bruce Verhaaren and Adrienne Carr, Argonne	N-132
October 23, 2012	Bruce Verhaaren, Argonne	Chris Coder, Tribal Archaeologist, Yavapai-Apache Nation	N-133
October 24, 2012	Chris Coder, Tribal Archaeologist, Yavapai-Apache Nation	Bruce Verhaaren, Argonne	N-134

<sup>a</sup> Page number in Appendix N, Attachment 2.

1           On June 12, 2014, the joint-leads sent a letter to the Arizona State SHPO notifying him of  
2 the intent to complete the LTEMP EIS. The letter provided a review of the LTEMP to date with  
3 a draft description of the proposed Area of Potential Effect. The letter also indicated the desire to  
4 consult with the SHPO pursuant to Section 106 of the NHPA. A copy of this letter was also sent  
5 to the Advisory Council on Historic Preservation and all Cooperating Agencies. The SHPOs  
6 office responded on July 18, 2014, indicating they look forward to working with the joint-leads  
7 on the Programmatic Agreement. A copy of these letters is provided in Attachment 3.  
8  
9

10 **N.3 REFERENCE**

11  
12 Reclamation (Bureau of Reclamation), 1995, *Operation of Glen Canyon Dam: Colorado River*  
13 *Storage Project, Arizona, Final Environmental Impact Statement*, U.S. Department of the  
14 Interior, Bureau of Reclamation, Salt lake City, Utah, March. Available at [http://www.usbr.gov/](http://www.usbr.gov/uc/library/envdocs/eis/gc/gcdOpsFEIS.html)  
15 [uc/library/envdocs/eis/gc/gcdOpsFEIS.html](http://www.usbr.gov/uc/library/envdocs/eis/gc/gcdOpsFEIS.html). Accessed February 19, 2015.  
16

**ATTACHMENT N.1**

**(a) Havasupai Tribe**

**Memorandum of Understanding**  
Between  
the Bureau of Reclamation and the National Park Service  
and  
the Havasupai Tribe  
for the Environmental Impact Statement for Adoption of a Long Term Experimental and  
Management Plan for the Operation of Glen Canyon Dam

**I. Introduction and Purpose**

Pursuant to the National Environmental Policy Act (NEPA), the Department of the Interior (Department), through the Bureau of Reclamation (Reclamation) and the National Park Service (NPS), is preparing an environmental impact statement (EIS) for a Long Term Experimental and Management Plan (LTEMP) for the operation of Glen Canyon Dam. Reclamation and the NPS are the joint lead or "joint-lead agencies" for the completion of this EIS. The Havasupai Tribe hereafter "the cooperating agency", in addition to other parties, has agreed to serve as a cooperating agency for the completion of the LTEMP EIS. The purpose of this Memorandum of Understanding (MOU) is to outline the roles and responsibilities of the joint-lead and the cooperating agency (hereinafter collectively referred to alternatively as "agencies" or "parties") in accordance with 43 CFR § 46.225(d).

**II. Background**

The LTEMP process is intended to develop and implement a structured, long term experimental and management plan, to determine the need for potential future modifications to Glen Canyon Dam operations, and to determine whether to establish an Endangered Species Act (ESA) Recovery Implementation Program for endangered fish species below Glen Canyon Dam. Revised dam operations and other actions under the jurisdiction of the Secretary of the Interior will be considered within alternatives of the EIS, in keeping with the scope of the Grand Canyon Protection Act (GCPA). The NEPA process will document and evaluate impacts of the alternatives described in the EIS.

**III. Purpose of this MOU**

This MOU defines the relationship and duties of the joint-lead and the cooperating agency in completing NEPA compliance for the LTEMP, and how the parties will cooperate during the NEPA process.

By signing this MOU, the parties agree that this MOU provides the framework to fulfill compliance requirements for NEPA.

**IV. Agency Designee**

The cooperating agency will designate a primary point of contact (and alternate if desired) for the EIS by sending correspondence at the time of signing of this agreement to the joint-lead agencies with the contacts name and information. The cooperating agency may change its point

of contact at any time by providing written notice to the joint-lead agencies and the other cooperating agencies.

#### **V. Authority**

The authority of the joint-lead and the cooperating agency to participate in this agreement is provided by the National Environmental Policy Act, 42 U.S.C. §§ 4321 *et seq.* NEPA allows agencies to be designated as a cooperating agency when that agency has jurisdiction by law or special expertise (40 CFR § 1501.6 and 40 CFR§ 1508.5). Activities contemplated under this MOU are specifically authorized under:

- A. Title I of NEPA;
- B. "Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act," 40 CFR §§ 1500-1508, Council on Environmental Quality (in particular 40 CFR § 1501.6, Cooperating Agencies);
- C. Department of the Interior NEPA Implementing Procedures in the Departmental Manual at 43 CFR § Part 46, Cooperating Agencies (40 CFR §1501.6).

#### **VI. Joint-lead Agency Responsibilities**

Reclamation and the NPS will be joint-leads for this effort because Reclamation has primary responsibility for operation of Glen Canyon Dam and the NPS has primary responsibility for managing Grand Canyon National Park, Glen Canyon National Recreation Area, and Lake Mead National Recreation Area.

The NPS and Reclamation, as joint-leads for the completion of the LTEMP EIS, shall:

- A. Jointly be responsible for the preparation, quality, content and overall direction of the EIS and for ensuring the appropriate participation of cooperating agencies in developing the EIS.
- B. Jointly be responsible for identifying the purpose and need for the project, scope of analysis, and decisions to be made. In coordination with the Department, the joint-lead agencies will make the final decision on the content of all EIS-related documents, including the preferred alternative and the Record of Decision to be signed by the Secretary of the Interior.
- C. Jointly oversee the execution and administration of contracts or cooperative agreements with mutually agreed upon federal, state or local agencies, or tribal governments or mutually agreed upon private contractors to develop information for inclusion in the EIS.
- D. Jointly conduct cooperating agency meetings, and provide advance information for discussions at these meetings, as necessary during the preparation of the EIS. Meeting dates and locations will be jointly agreed upon and may be chosen to coincide with the

- dates of Adaptive Management Working Group meetings to minimize travel costs and maximize collaboration.
- E. Ensure that cooperating agency proposals and substantive comments (including divergent views) within their jurisdiction or technical expertise are appropriately documented and considered in the EIS.
  - F. Provide advance copies (normally 30 days) of the preliminary draft and preliminary final EIS and related compliance documents for review by cooperating agencies.

## **VII. Cooperating Agency Responsibilities**

Federal, state, and local agencies, and tribal governments with appropriate expertise or jurisdiction have been invited to participate as cooperating agencies. Reclamation and NPS may, at any time during the course of the EIS project, invite additional agencies to participate in the process.

The cooperating agency, subject to sufficient appropriations to carry out the following responsibilities, shall:

- A. Participate in the NEPA process at the earliest possible time.
- B. Participate in the scoping process.
- C. Assume, on request of the lead agencies, responsibility for developing information and preparing environmental analyses including portions of the environmental impact statement concerning which the cooperating agency has special expertise.
- D. Make available staff support at the lead agencies' request to enhance the latter's interdisciplinary capability.
- E. Normally use their own funds.
- F. The cooperating agency may in response to a lead agencies' request for assistance in preparing the environmental impact statement reply that other program commitments preclude any involvement or the degree of involvement requested in the action that is the subject of the environmental impact statement.
- G. Provide comments in a timely manner (normally within 30 days of receipt) of draft documents when requested. One consolidated set of comments for the cooperating agency will be provided in the format specified by the joint-lead agencies.
- H. As appropriate and practicable, attend cooperating agency meetings and public meetings and hearings on the EIS process.
- I. Retain the right to comment on all issues related to the EIS through the normal EIS public review and comment process.

expand, or substitute for those provisions or regulations. This MOU does not impose legally-binding requirements on the Parties, nor does it create a legal right of action for the Parties or any third party.

- J. AGENCY AND PARTNERSHIP.** Unless expressly provided by law, personnel or volunteers of one party shall not be considered to be agents, partners or employees of the other party for any purpose, and no joint venture or principal-agent relationship shall be deemed to exist. The personnel and volunteers of one party are not entitled to any of the benefits that any other party provides for its employees or volunteers.
- K. LIABILITY.** To the extent authorized by law, on behalf of itself, its officers, directors, members, employees, agents, and representatives, each party agrees that it will be responsible for its own acts and omissions and the results thereof and that it shall not be responsible for the acts or omissions of other parties, nor the results thereof. To the extent authorized by law, each party therefore agrees that it will assume the risk and liability to itself, its agents, employees, and volunteers for any injury to or death of persons or loss or destruction of property resulting in any manner from the conduct of the party's own operations and/or the operations of its agents, employees, and/or volunteers under this MOU. To the extent authorized by law, each party further releases and waives all claims against the other party for compensation for any loss, cost, damage, expense, personal injury, death, claim, or other liability arising out of the performance of this MOU.
- L. NONDISCRIMINATION.** This MOU is subject to all Federal statutes relating to nondiscrimination. These include, but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352); and (b) Title IX of the Education Amendments of 1972 (20 U.S.C. 1681-1683 and 1685-1686).

**XI. Effective Dates, Amendment and Termination**

- A. This MOU will become effective on the date of the last signature and may be subsequently amended through written agreement of all signatories. The joint-lead agencies or the cooperating agency may terminate their cooperative status by providing 30 days written notice of termination to the other party. Otherwise, the cooperative status will terminate when a Record of Decision is issued or the EIS is terminated.

**XII. Signatures**

The parties hereto have executed this Memorandum of Understanding as of the dates shown below.

BUREAU OF RECLAMATION

  
\_\_\_\_\_  
Larry Walkowiak  
Regional Director  
Upper Colorado Region  
Bureau of Reclamation

Date July 9, 2012

NATIONAL PARK SERVICE

  
\_\_\_\_\_  
Herbert C. Frost  
Associate Director for Natural Resources, Stewardship and Science  
National Park Service

Date 7/11/2012

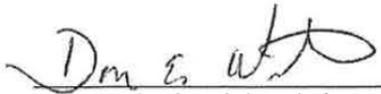
  
\_\_\_\_\_  
John Wessels  
Regional Director  
Intermountain Region  
National Park Service

Date 7/20/12

  
\_\_\_\_\_  
Christine Lohnertz  
Regional Director  
Pacific West Region  
National Park Service

Date 7/25/12

THE HAVASUPAI TRIBE

  
\_\_\_\_\_  
Don E. Watahomigie, Chairman

Date 7-6-12

**(b) Hopi Tribe**

**Memorandum of Understanding**

Between

the Bureau of Reclamation and the National Park Service

and

the Hopi Tribe

for the Environmental Impact Statement for Adoption of a Long Term Experimental and Management Plan for the Operation of Glen Canyon Dam

**I. Introduction and Purpose**

Pursuant to the National Environmental Policy Act (NEPA), the Department of the Interior (Department), through the Bureau of Reclamation (Reclamation) and the National Park Service (NPS), is preparing an environmental impact statement (EIS) for a Long Term Experimental and Management Plan (LTEMP) for the operation of Glen Canyon Dam. Reclamation and the NPS are the joint lead or "joint-lead agencies" for the completion of this EIS. The Hopi Tribe hereafter "the cooperating agency", in addition to other parties, has agreed to serve as a cooperating agency for the completion of the LTEMP EIS. The purpose of this Memorandum of Understanding (MOU) is to outline the roles and responsibilities of the joint-lead and the cooperating agency (hereinafter collectively referred to alternatively as "agencies" or "parties") in accordance with 43 CFR § 46.225(d).

**II. Background**

The LTEMP process is intended to develop and implement a structured, long term experimental and management plan, to determine the need for potential future modifications to Glen Canyon Dam operations, and to determine whether to establish an Endangered Species Act (ESA) Recovery Implementation Program for endangered fish species below Glen Canyon Dam. Revised dam operations and other actions under the jurisdiction of the Secretary of the Interior will be considered within alternatives of the EIS, in keeping with the scope of the Grand Canyon Protection Act (GCPA). The NEPA process will document and evaluate impacts of the alternatives described in the EIS.

**III. Purpose of this MOU**

This MOU defines the relationship and duties of the joint-lead and the cooperating agency in completing NEPA compliance for the LTEMP, and how the parties will cooperate during the NEPA process.

By signing this MOU, the parties agree that this MOU provides the framework to fulfill compliance requirements for NEPA.

**IV. Agency Designee**

The cooperating agency will designate a primary point of contact (and alternate if desired) for the EIS by sending correspondence at the time of signing of this agreement to the joint-lead agencies with the contacts name and information. The cooperating agency may change its point

of contact at any time by providing written notice to the joint-lead agencies and the other cooperating agencies.

#### **V. Authority**

The authority of the joint-lead and the cooperating agency to participate in this agreement is provided by the National Environmental Policy Act, 42 U.S.C. §§ 4321 *et seq.* NEPA allows agencies to be designated as a cooperating agency when that agency has jurisdiction by law or special expertise (40 CFR § 1501.6 and 40 CFR§ 1508.5). Activities contemplated under this MOU are specifically authorized under:

- A. Title I of NEPA;
- B. "Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act," 40 CFR §§ 1500-1508, Council on Environmental Quality (in particular 40 CFR § 1501.6, Cooperating Agencies);
- C. Department of the Interior NEPA Implementing Procedures in the Departmental Manual at 43 CFR § Part 46, Cooperating Agencies (40 CFR §1501.6).

#### **VI. Joint-lead Agency Responsibilities**

Reclamation and the NPS will be joint-leads for this effort because Reclamation has primary responsibility for operation of Glen Canyon Dam and the NPS has primary responsibility for managing Grand Canyon National Park, Glen Canyon National Recreation Area, and Lake Mead National Recreation Area.

The NPS and Reclamation, as joint-leads for the completion of the LTEMP EIS, shall:

- A. Jointly be responsible for the preparation, quality, content and overall direction of the EIS and for ensuring the appropriate participation of cooperating agencies in developing the EIS.
- B. Jointly be responsible for identifying the purpose and need for the project, scope of analysis, and decisions to be made. In coordination with the Department, the joint-lead agencies will make the final decision on the content of all EIS-related documents, including the preferred alternative and the Record of Decision to be signed by the Secretary of the Interior.
- C. Jointly oversee the execution and administration of contracts or cooperative agreements with mutually agreed upon federal, state or local agencies, or tribal governments or mutually agreed upon private contractors to develop information for inclusion in the EIS.
- D. Jointly conduct cooperating agency meetings, and provide advance information for discussions at these meetings, as necessary during the preparation of the EIS. Meeting dates and locations will be jointly agreed upon and may be chosen to coincide with the

dates of Adaptive Management Working Group meetings to minimize travel costs and maximize collaboration.

- E. Ensure that cooperating agency proposals and substantive comments (including divergent views) within their jurisdiction or technical expertise are appropriately documented and considered in the EIS.
- F. Provide advance copies (normally 30 days) of the preliminary draft and preliminary final EIS and related compliance documents for review by cooperating agencies.

## **VII. Cooperating Agency Responsibilities**

Federal, state, and local agencies, and tribal governments with appropriate expertise or jurisdiction have been invited to participate as cooperating agencies. Reclamation and NPS may, at any time during the course of the EIS project, invite additional agencies to participate in the process.

The cooperating agency, subject to sufficient appropriations to carry out the following responsibilities, shall:

- A. Participate in the NEPA process at the earliest possible time.
- B. Participate in the scoping process.
- C. Assume, on request of the lead agencies, responsibility for developing information and preparing environmental analyses including portions of the environmental impact statement concerning which the cooperating agency has special expertise.
- D. Make available staff support at the lead agencies' request to enhance the latter's interdisciplinary capability.
- E. Normally use their own funds.
- F. The cooperating agency may in response to a lead agencies' request for assistance in preparing the environmental impact statement reply that other program commitments preclude any involvement or the degree of involvement requested in the action that is the subject of the environmental impact statement.
- G. Provide comments in a timely manner (normally within 30 days of receipt) of draft documents when requested. One consolidated set of comments for the cooperating agency will be provided in the format specified by the joint-lead agencies.
- H. As appropriate and practicable, attend cooperating agency meetings and public meetings and hearings on the EIS process.
- I. Retain the right to comment on all issues related to the EIS through the normal EIS public review and comment process.

- J. Promptly advise the joint-lead agencies of concerns related to the EIS process.

### **VIII. Shared Responsibilities of all Parties**

- A. Reclamation and NPS may meet separately with any one or more cooperating agencies to discuss specific topics.
- B. It is understood that the respective agencies are normally responsible for their own costs with regard to completion of tasks outlined herein, such as attendance at meetings, assembling data, analyzing effects, and providing input with regard to sections of the EIS subject to section VII.F. Funding requests from tribal governments with a demonstrated need will be considered on a case by case basis by the joint-lead agencies.
- C. All parties agree that because of the need for timely completion of NEPA compliance, work will proceed as expeditiously as possible, including data gathering, analysis, and document review. However, all parties agree that sufficient time must be allowed to ensure thorough document review. It is anticipated that the parties will be given a minimum of 30 days to review the preliminary draft EIS and a minimum of 30 days to review the draft final EIS.

### **IX. Resolution of Disputes**

Reclamation and NPS are responsible for all decisions involving the EIS and will make all final decisions on disputes arising during the NEPA process. The joint-lead agencies will document the nature of any dispute and the resolution of the dispute. Documentation of resolution will be made available to appropriate parties.

### **X. Standard Conditions:**

- A. **AUTHORITIES.** Nothing in this MOU shall be construed to extend the jurisdiction or decision-making authority of any party to this MOU beyond that which exists under current laws and regulations. Nothing in this MOU shall be construed as limiting or affecting the authority or legal responsibility of any party, or as binding any party to perform beyond the respective authority of each, or to require any party to assume or expend any specific sum of money. The provisions of this MOU are subject to the laws of the United States; and the regulations of the Department of the Interior, as they may be applicable. Nothing in this MOU shall be construed as affecting the decision-making requirements of any party or impairing the independent judgment of each party regarding policy decisions.
- B. **RELEASE OF INFORMATION.** Except as required by court order or ruling, the joint - lead agencies and the cooperating agency will not release any pre-decisional material or working information or documents to the public other than through an approved Freedom of Information Act request or comparable tribal or state law-based process, or unless the agency or agencies have already disseminated the specific materials or documents to the public. The

agencies agree to inform each other if it is determined that there is a legal requirement to release any such information, and that information will include expected release date of the information.

- C. LEGAL RIGHTS AND REMEDIES.** Nothing in this MOU shall be construed to alter the legal rights and remedies that each party would otherwise have. No party waives any legal rights or defenses by entering into this MOU or participating in the process contemplated hereby. This MOU is not a Federal contract, rule, or regulation. This MOU shall not be construed as or interpreted to be final Federal agency action.
- D. SEVERABILITY.** Should any portion of this MOU be judicially determined to be illegal or unenforceable, the remainder of the MOU shall continue in full force and effect, and any party may renegotiate the terms affected by the severance.
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- F. NON-FUND OBLIGATION DOCUMENT.** This MOU is neither a fiscal nor a funds obligation document. Any endeavor or transfer of anything of value involving reimbursement or contribution of funds between the parties to this instrument will be handled in accordance with applicable laws, regulations, and procedures including those for Government procurement and printing. Such endeavors will be outlined in separate agreements that shall be made in writing by representatives of the parties and shall be independently authorized by appropriate rules, policies, and statutory authority. This MOU does not provide such authority. Specifically, this MOU does not establish authority for noncompetitive award to the cooperator of any contract or other agreement. Nothing herein constitutes a binding commitment to fund any of the proceedings encompassed by the MOU. Any specific cost sharing or funding shall be executed separately through other funding mechanisms, as deemed necessary and appropriate by each of the signatories.
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- H. ENDORSEMENT.** Nothing in this MOU may be interpreted to imply that the United States, the Department of the Interior, the NPS, the Bureau of Reclamation, or the cooperating agency endorses any product, service or policy of the other parties. No party will take any action or make any statement that suggests or implies such an endorsement.
- I. STATUTES AND REGULATIONS.** The provisions of any statutes and/or regulations cited in this MOU contain legally binding requirements. The MOU itself does not alter, expand, or substitute for those provisions or regulations. This MOU does not impose legally-

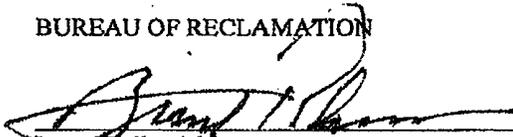
binding requirements on the Parties, nor does it create a legal right of action for the Parties or any third party.

- J. AGENCY AND PARTNERSHIP.** Unless expressly provided by law, personnel or volunteers of one party shall not be considered to be agents, partners or employees of the other party for any purpose, and no joint venture or principal-agent relationship shall be deemed to exist. The personnel and volunteers of one party are not entitled to any of the benefits that any other party provides for its employees or volunteers.
- K. LIABILITY.** To the extent authorized by law, on behalf of itself, its officers, directors, members, employees, agents, and representatives, each party agrees that it will be responsible for its own acts and omissions and the results thereof and that it shall not be responsible for the acts or omissions of other parties, nor the results thereof. To the extent authorized by law, each party therefore agrees that it will assume the risk and liability to itself, its agents, employees, and volunteers for any injury to or death of persons or loss or destruction of property resulting in any manner from the conduct of the party's own operations and/or the operations of its agents, employees, and/or volunteers under this MOU. To the extent authorized by law, each party further releases and waives all claims against the other party for compensation for any loss, cost, damage, expense, personal injury, death, claim, or other liability arising out of the performance of this MOU.
- L. NONDISCRIMINATION.** This MOU is subject to all Federal statutes relating to nondiscrimination. These include, but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352); and (b) Title IX of the Education Amendments of 1972 (20 U.S.C. 1681-1683 and 1685-1686).
- XI. Effective Dates, Amendment and Termination**
- A. This MOU will become effective on the date of the last signature and may be subsequently amended through written agreement of all signatories. The joint-lead agencies or the cooperating agency may terminate their cooperative status by providing 30 days written notice of termination to the other party. Otherwise, the cooperative status will terminate when a Record of Decision is issued or the EIS is terminated.

**XII. Signatures**

The parties hereto have executed this Memorandum of Understanding as of the dates shown below.

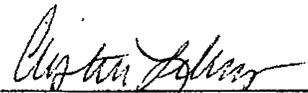
**BUREAU OF RECLAMATION**

  
Date 7/21/14  
Larry Walkoviak  
Regional Director  
Upper Colorado Region  
Bureau of Reclamation

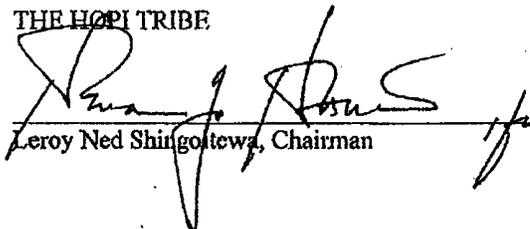
**NATIONAL PARK SERVICE**

  
Date 10/10/2014  
Raymond M. Sauvajot  
Acting Associate Director for Natural Resources, Stewardship and Science  
National Park Service

  
Date 10/1/14  
Sue E. Masica  
Regional Director  
Intermountain Region  
National Park Service

  
Date 03 October 2014  
Christine Lehnertz  
Regional Director  
Pacific West Region  
National Park Service

**THE HOPI TRIBE**

  
Date 6.7.13  
Leroy Ned Shingotewa, Chairman

**(c) Hualapai Tribe**

**Memorandum of Understanding**  
Between  
the Bureau of Reclamation and the National Park Service  
and  
the Hualapai Tribe  
for the Environmental Impact Statement for Adoption of a Long Term Experimental and  
Management Plan for the Operation of Glen Canyon Dam

**I. Introduction and Purpose**

Pursuant to the National Environmental Policy Act (NEPA), the Department of the Interior (Department), through the Bureau of Reclamation (Reclamation) and the National Park Service (NPS), is preparing an environmental impact statement (EIS) for a Long Term Experimental and Management Plan (LTEMP) for the operation of Glen Canyon Dam. Reclamation and the NPS are the joint lead or "joint-lead agencies" for the completion of this EIS. The Hualapai Tribe hereafter "the cooperating agency", in addition to other parties, has agreed to serve as a cooperating agency for the completion of the LTEMP EIS. The purpose of this Memorandum of Understanding (MOU) is to outline the roles and responsibilities of the joint-lead and the cooperating agency (hereinafter collectively referred to alternatively as "agencies" or "parties") in accordance with 43 CFR § 46.225(d).

**II. Background**

The LTEMP process is intended to develop and implement a structured, long term experimental and management plan, to determine the need for potential future modifications to Glen Canyon Dam operations, and to determine whether to establish an Endangered Species Act (ESA) Recovery Implementation Program for endangered fish species below Glen Canyon Dam. Revised dam operations and other actions under the jurisdiction of the Secretary of the Interior will be considered within alternatives of the EIS, in keeping with the scope of the Grand Canyon Protection Act (GCPA). The NEPA process will document and evaluate impacts of the alternatives described in the EIS.

**III. Purpose of this MOU**

This MOU defines the relationship and duties of the joint-lead and the cooperating agency in completing NEPA compliance for the LTEMP, and how the parties will cooperate during the NEPA process.

By signing this MOU, the parties agree that this MOU provides the framework to fulfill compliance requirements for NEPA.

**IV. Agency Designee**

The cooperating agency will designate a primary point of contact (and alternate if desired) for the EIS by sending correspondence at the time of signing of this agreement to the joint-lead agencies with the contacts name and information. The cooperating agency may change its point

of contact at any time by providing written notice to the joint-lead agencies and the other cooperating agencies.

#### **V. Authority**

The authority of the joint-lead and the cooperating agency to participate in this agreement is provided by the National Environmental Policy Act, 42 U.S.C. §§ 4321 *et seq.* NEPA allows agencies to be designated as a cooperating agency when that agency has jurisdiction by law or special expertise (40 CFR § 1501.6 and 40 CFR§ 1508.5). Activities contemplated under this MOU are specifically authorized under:

- A. Title I of NEPA;
- B. "Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act," 40 CFR §§ 1500-1508, Council on Environmental Quality (in particular 40 CFR § 1501.6, Cooperating Agencies);
- C. Department of the Interior NEPA Implementing Procedures in the Departmental Manual at 43 CFR § Part 46, Cooperating Agencies (40 CFR §1501.6).

#### **VI. Joint-lead Agency Responsibilities**

Reclamation and the NPS will be joint-leads for this effort because Reclamation has primary responsibility for operation of Glen Canyon Dam and the NPS has primary responsibility for managing Grand Canyon National Park, Glen Canyon National Recreation Area, and Lake Mead National Recreation Area.

The NPS and Reclamation, as joint-leads for the completion of the LTEMP EIS, shall:

- A. Jointly be responsible for the preparation, quality, content and overall direction of the EIS and for ensuring the appropriate participation of cooperating agencies in developing the EIS.
- B. Jointly be responsible for identifying the purpose and need for the project, scope of analysis, and decisions to be made. In coordination with the Department, the joint-lead agencies will make the final decision on the content of all EIS-related documents, including the preferred alternative and the Record of Decision to be signed by the Secretary of the Interior.
- C. Jointly oversee the execution and administration of contracts or cooperative agreements with mutually agreed upon federal, state or local agencies, or tribal governments or mutually agreed upon private contractors to develop information for inclusion in the EIS.
- D. Jointly conduct cooperating agency meetings, and provide advance information for discussions at these meetings, as necessary during the preparation of the EIS. Meeting

dates and locations will be jointly agreed upon and may be chosen to coincide with the dates of Adaptive Management Working Group meetings to minimize travel costs and maximize collaboration.

- E. Ensure that cooperating agency proposals and substantive comments (including divergent views) within their jurisdiction or technical expertise are appropriately documented and considered in the EIS.
- F. Provide advance copies (normally 30 days) of the preliminary draft and preliminary final EIS and related compliance documents for review by cooperating agencies.

## **VII. Cooperating Agency Responsibilities**

Federal, state, and local agencies, and tribal governments with appropriate expertise or jurisdiction have been invited to participate as cooperating agencies. Reclamation and NPS may, at any time during the course of the EIS project, invite additional agencies to participate in the process.

The cooperating agency, subject to sufficient appropriations to carry out the following responsibilities, shall:

- A. Participate in the NEPA process at the earliest possible time.
- B. Participate in the scoping process.
- C. Assume, on request of the lead agencies, responsibility for developing information and preparing environmental analyses including portions of the environmental impact statement concerning which the cooperating agency has special expertise.
- D. Make available staff support at the lead agencies' request to enhance the latter's interdisciplinary capability.
- E. Normally use their own funds.
- F. The cooperating agency may in response to a lead agencies' request for assistance in preparing the environmental impact statement reply that other program commitments preclude any involvement or the degree of involvement requested in the action that is the subject of the environmental impact statement.
- G. Provide comments in a timely manner (normally within 30 days of receipt) of draft documents when requested. One consolidated set of comments for the cooperating agency will be provided in the format specified by the joint-lead agencies.
- H. As appropriate and practicable, attend cooperating agency meetings and public meetings and hearings on the EIS process.

- I. Retain the right to comment on all issues related to the EIS through the normal EIS public review and comment process.
- J. Promptly advise the joint-lead agencies of concerns related to the EIS process.

#### **VIII. Shared Responsibilities of all Parties**

- A. Reclamation and NPS may meet separately with any one or more cooperating agencies to discuss specific topics.
- B. It is understood that the respective agencies are normally responsible for their own costs with regard to completion of tasks outlined herein, such as attendance at meetings, assembling data, analyzing effects, and providing input with regard to sections of the EIS subject to section VII.F. Funding requests from tribal governments with a demonstrated need will be considered on a case by case basis by the joint-lead agencies.
- C. All parties agree that because of the need for timely completion of NEPA compliance, work will proceed as expeditiously as possible, including data gathering, analysis, and document review. However, all parties agree that sufficient time must be allowed to ensure thorough document review. It is anticipated that the parties will be given a minimum of 30 days to review the preliminary draft EIS and a minimum of 30 days to review the draft final EIS.

#### **IX. Resolution of Disputes**

Reclamation and NPS are responsible for all decisions involving the EIS and will make all final decisions on disputes arising during the NEPA process. The joint-lead agencies will document the nature of any dispute and the resolution of the dispute. Documentation of resolution will be made available to appropriate parties.

#### **X. Standard Conditions:**

- A. **AUTHORITIES.** Nothing in this MOU shall be construed to extend the jurisdiction or decision-making authority of any party to this MOU beyond that which exists under current laws and regulations. Nothing in this MOU shall be construed as limiting or affecting the authority or legal responsibility of any party, or as binding any party to perform beyond the respective authority of each, or to require any party to assume or expend any specific sum of money. The provisions of this MOU are subject to the laws of the United States; and the regulations of the Department of the Interior, as they may be applicable. Nothing in this MOU shall be construed as affecting the decision-making requirements of any party or impairing the independent judgment of each party regarding policy decisions.
- B. **RELEASE OF INFORMATION.** Except as required by court order or ruling, the joint - lead agencies and the cooperating agency will not release any pre-decisional material or working information or documents to the public other than through an approved Freedom of

Information Act request or comparable tribal or state law-based process, or unless the agency or agencies have already disseminated the specific materials or documents to the public. The agencies agree to inform each other if it is determined that there is a legal requirement to release any such information, and that information will include expected release date of the information.

- C. SOVEREIGNTY.** Participation by a tribe in this National Environmental Policy Act process does not diminish the Tribe's rights to protect its sovereignty under their constitutional authorities and in consideration of applicable law.
- D. LEGAL RIGHTS AND REMEDIES.** Nothing in this MOU shall be construed to alter the legal rights and remedies that each party would otherwise have. No party waives any legal rights or defenses by entering into this MOU or participating in the process contemplated hereby. This MOU is not a Federal contract, rule, or regulation. This MOU shall not be construed as or interpreted to be final Federal agency action.
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**L. LIABILITY.** To the extent authorized by law, on behalf of itself, its officers, directors, members, employees, agents, and representatives, each party agrees that it will be responsible for its own acts and omissions and the results thereof and that it shall not be responsible for the acts or omissions of other parties, nor the results thereof. To the extent authorized by law, each party therefore agrees that it will assume the risk and liability to itself, its agents, employees, and volunteers for any injury to or death of persons or loss or destruction of property resulting in any manner from the conduct of the party's own operations and/or the operations of its agents, employees, and/or volunteers under this MOU. To the extent authorized by law, each party further releases and waives all claims against the other party for compensation for any loss, cost, damage, expense, personal injury, death, claim, or other liability arising out of the performance of this MOU.

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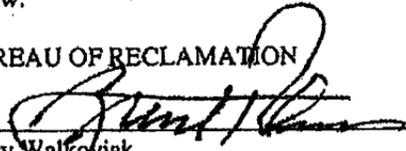
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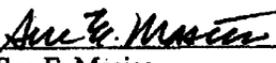
The parties hereto have executed this Memorandum of Understanding as of the dates shown below.

BUREAU OF RECLAMATION

  
Date 7/21/14  
Larry Walkoviak  
Regional Director  
Upper Colorado Region  
Bureau of Reclamation

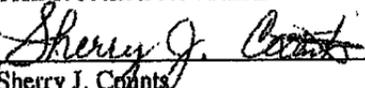
NATIONAL PARK SERVICE

  
Date 10/10/2014  
Raymond M. Sauvajot  
Acting Associate Director for Natural Resources, Stewardship and Science  
National Park Service

  
Date 10/1/14  
Sue E. Masica  
Regional Director  
Intermountain Region  
National Park Service

  
Date 03 October 2014  
Christine Lehnertz  
Regional Director  
Pacific West Region  
National Park Service

THE HUALAPAI TRIBE

  
Date 10/3/12  
Sherry J. Counts  
Chairwoman  
The Hualapai Tribe

  
Date 10.04.2012  
Loretta Jackson-Kelly  
Director for the Department of Cultural Resources  
The Hualapai Tribe

**(d) Kaibab Band of Paiute Indians**

**Memorandum of Understanding**  
Between  
the Bureau of Reclamation and the National Park Service  
and  
the Kaibab Band of Paiute Indians  
for the Environmental Impact Statement for Adoption of a Long Term Experimental and  
Management Plan for the Operation of Glen Canyon Dam

**I. Introduction and Purpose**

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The LTEMP process is intended to develop and implement a structured, long term experimental and management plan, to determine the need for potential future modifications to Glen Canyon Dam operations, and to determine whether to establish an Endangered Species Act (ESA) Recovery Implementation Program for endangered fish species below Glen Canyon Dam. Revised dam operations and other actions under the jurisdiction of the Secretary of the Interior will be considered within alternatives of the EIS, in keeping with the scope of the Grand Canyon Protection Act (GCPA). The NEPA process will document and evaluate impacts of the alternatives described in the EIS.

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Reclamation and the NPS will be joint-leads for this effort because Reclamation has primary responsibility for operation of Glen Canyon Dam and the NPS has primary responsibility for managing Grand Canyon National Park, Glen Canyon National Recreation Area, and Lake Mead National Recreation Area.

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Reclamation and NPS are responsible for all decisions involving the EIS and will make all final decisions on disputes arising during the NEPA process. The joint-lead agencies will document the nature of any dispute and the resolution of the dispute. Documentation of resolution will be made available to appropriate parties.

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- H. ENDORSEMENT.** Nothing in this MOU may be interpreted to imply that the United States, the Department of the Interior, the NPS, the Bureau of Reclamation, or the cooperating agency endorses any product, service or policy of the other parties. No party will take any action or make any statement that suggests or implies such an endorsement.
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binding requirements on the Parties, nor does it create a legal right of action for the Parties or any third party.

- J. AGENCY AND PARTNERSHIP.** Unless expressly provided by law, personnel or volunteers of one party shall not be considered to be agents, partners or employees of the other party for any purpose, and no joint venture or principal-agent relationship shall be deemed to exist. The personnel and volunteers of one party are not entitled to any of the benefits that any other party provides for its employees or volunteers.
- K. LIABILITY.** To the extent authorized by law, on behalf of itself, its officers, directors, members, employees, agents, and representatives, each party agrees that it will be responsible for its own acts and omissions and the results thereof and that it shall not be responsible for the acts or omissions of other parties, nor the results thereof. To the extent authorized by law, each party therefore agrees that it will assume the risk and liability to itself, its agents, employees, and volunteers for any injury to or death of persons or loss or destruction of property resulting in any manner from the conduct of the party's own operations and/or the operations of its agents, employees, and/or volunteers under this MOU. To the extent authorized by law, each party further releases and waives all claims against the other party for compensation for any loss, cost, damage, expense, personal injury, death, claim, or other liability arising out of the performance of this MOU.
- L. NONDISCRIMINATION.** This MOU is subject to all Federal statutes relating to nondiscrimination. These include, but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352); and (b) Title IX of the Education Amendments of 1972 (20 U.S.C. 1681-1683 and 1685-1686).

#### **XI. Effective Dates, Amendment and Termination**

- A. This MOU will become effective on the date of the last signature and may be subsequently amended through written agreement of all signatories. The joint-lead agencies or the cooperating agency may terminate their cooperative status by providing 30 days written notice of termination to the other party. Otherwise, the cooperative status will terminate when a Record of Decision is issued or the EIS is terminated.

**XII. Signatures**

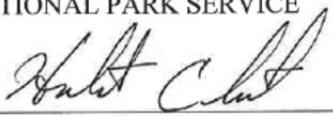
The parties hereto have executed this Memorandum of Understanding as of the dates shown below.

BUREAU OF RECLAMATION

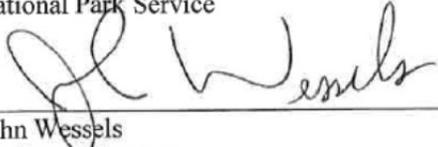
  
\_\_\_\_\_  
Larry Walkoviak  
Regional Director  
Upper Colorado Region  
Bureau of Reclamation

Date 5/22/2012

NATIONAL PARK SERVICE

  
\_\_\_\_\_  
Herbert C. Frost  
Associate Director for Natural Resources Stewardship and Science  
National Park Service

Date 7/11/2012

  
\_\_\_\_\_  
John Wessels  
Regional Director  
Intermountain Region  
National Park Service

Date 6/21/12

  
\_\_\_\_\_  
Christine Lehnertz  
Regional Director  
Pacific West Region  
National Park Service

Date 07/05/12

THE KAIBAB BAND OF PAIUTE INDIANS

  
\_\_\_\_\_  
Manuel Savala, Chairman

Date May 2, 2012

**(e) Navajo Nation**

**Memorandum of Understanding**  
Between  
the Bureau of Reclamation and the National Park Service  
and  
the Navajo Nation  
for the Environmental Impact Statement for Adoption of a Long Term Experimental and  
Management Plan for the Operation of Glen Canyon Dam

**I. Introduction and Purpose**

Pursuant to the National Environmental Policy Act (NEPA), the Department of the Interior (Department), through the Bureau of Reclamation (Reclamation) and the National Park Service (NPS), is preparing an environmental impact statement (EIS) for a Long Term Experimental and Management Plan (LTEMP) for the operation of Glen Canyon Dam. Reclamation and the NPS are the joint lead or "joint-lead agencies" for the completion of this EIS. The Navajo Nation hereafter "the cooperating agency", in addition to other parties, has agreed to serve as a cooperating agency for the completion of the LTEMP EIS. The purpose of this Memorandum of Understanding (MOU) is to outline the roles and responsibilities of the joint-lead and the cooperating agency (hereinafter collectively referred to alternatively as "agencies" or "parties") in accordance with 43 CFR § 46.225(d).

**II. Background**

The LTEMP process is intended to develop and implement a structured, long term experimental and management plan, to determine the need for potential future modifications to Glen Canyon Dam operations, and to determine whether to establish an Endangered Species Act (ESA) Recovery Implementation Program for endangered fish species below Glen Canyon Dam. Revised dam operations and other actions under the jurisdiction of the Secretary of the Interior will be considered within alternatives of the EIS, in keeping with the scope of the Grand Canyon Protection Act (GCPA). The NEPA process will document and evaluate impacts of the alternatives described in the EIS.

**III. Purpose of this MOU**

This MOU defines the relationship and duties of the joint-lead and the cooperating agency in completing NEPA compliance for the LTEMP, and how the parties will cooperate during the NEPA process.

By signing this MOU, the parties agree that this MOU provides the framework to fulfill compliance requirements for NEPA.

**IV. Agency Designee**

The cooperating agency will designate a primary point of contact (and alternate if desired) for the EIS by sending correspondence at the time of signing of this agreement to the joint-lead agencies with the contacts name and information. The cooperating agency may change its point

of contact at any time by providing written notice to the joint-lead agencies and the other cooperating agencies.

## **V. Authority**

The authority of the joint-lead and the cooperating agency to participate in this agreement is provided by the National Environmental Policy Act, 42 U.S.C. §§ 4321 *et seq.* NEPA allows agencies to be designated as a cooperating agency when that agency has jurisdiction by law or special expertise (40 CFR § 1501.6 and 40 CFR § 1508.5). Activities contemplated under this MOU are specifically authorized under:

- A. Title I of NEPA;
- B. "Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act," 40 CFR §§ 1500-1508, Council on Environmental Quality (in particular 40 CFR § 1501.6, Cooperating Agencies);
- C. Department of the Interior NEPA Implementing Procedures in the Departmental Manual at 43 CFR § Part 46, Cooperating Agencies (40 CFR §1501.6).
- D. Section 106 of the National Historic Preservation Act, as amended, 16 U.S.C. §§ 470 *et seq.*
- E. Applicable tribal consultation policies of the joint-lead agencies and the Department of the Interior, and Executive Order 13175 (Nov. 6, 2000).
- F. Resolution No. NABIMY-33-14 of the Naabik'kyati' Committee, Navajo Nation Council, pursuant to 2 N.N.C. § 301(B)(15).

## **VI. Joint-lead Agency Responsibilities**

Reclamation and the NPS will be joint-leads for this effort because Reclamation has primary responsibility for operation of Glen Canyon Dam and the NPS has primary responsibility for managing Grand Canyon National Park, Glen Canyon National Recreation Area, and Lake Mead National Recreation Area.

The NPS and Reclamation, as joint-leads for the completion of the LTEMP EIS, shall:

- A. Jointly be responsible for the preparation, quality, content and overall direction of the EIS and for ensuring the appropriate participation of cooperating agencies in developing the EIS.
- B. Jointly be responsible for identifying the purpose and need for the project, scope of analysis, and decisions to be made. In coordination with the Department, the joint-lead agencies will make the final decision on the content of all EIS-related documents.

including the preferred alternative and the Record of Decision to be signed by the Secretary of the Interior.

- C. Jointly oversee the execution and administration of contracts or cooperative agreements with mutually agreed upon federal, state or local agencies, or tribal governments or mutually agreed upon private contractors to develop information for inclusion in the EIS.
- D. Jointly conduct cooperating agency meetings, and provide advance information for discussions at these meetings, as necessary during the preparation of the EIS. Meeting dates and locations will be jointly agreed upon and may be chosen to coincide with the dates of Adaptive Management Working Group meetings to minimize travel costs and maximize collaboration.
- E. Ensure that cooperating agency proposals and substantive comments (including divergent views) within their jurisdiction or technical expertise are appropriately documented and considered in the EIS.
- F. Provide advance copies (normally 30 days) of the preliminary draft and preliminary final EIS and related compliance documents for review by cooperating agencies.

## **VII. Cooperating Agency Responsibilities**

Federal, state, and local agencies, and tribal governments with appropriate expertise or jurisdiction have been invited to participate as cooperating agencies. Reclamation and NPS may, at any time during the course of the EIS project, invite additional agencies to participate in the process.

The cooperating agency, subject to sufficient appropriations to carry out the following responsibilities, shall:

- A. Participate in the NEPA process at the earliest possible time.
- B. Participate in the scoping process.
- C. Assume, on request of the lead agencies, responsibility for developing information and preparing environmental analyses including portions of the environmental impact statement concerning which the cooperating agency has special expertise.
- D. Make available staff support at the lead agencies' request to enhance the latter's interdisciplinary capability.
- E. Normally use their own funds.
- F. The cooperating agency may in response to a lead agencies' request for assistance in preparing the environmental impact statement reply that other program commitments preclude any involvement or the degree of involvement requested in the action that is the subject of the environmental impact statement.

- G. Provide comments in a timely manner (normally within 30 days of receipt) of draft documents when requested. One consolidated set of comments for the cooperating agency will be provided in the format specified by the joint-lead agencies.
- H. As appropriate and practicable, attend cooperating agency meetings and public meetings and hearings on the EIS process.
- I. Retain the right to comment on all issues related to the EIS through the normal EIS public review and comment process, as well as through the independently required tribal consultation process.
- J. Promptly advise the joint-lead agencies of concerns related to the EIS process.

#### **VIII. Shared Responsibilities of all Parties**

- A. Reclamation and NPS may meet separately with any one or more cooperating agencies to discuss specific topics.
- B. It is understood that the respective agencies are normally responsible for their own costs with regard to completion of tasks outlined herein, such as attendance at meetings, assembling data, analyzing effects, and providing input with regard to sections of the EIS subject to section VII.F. Funding requests from tribal governments with a demonstrated need will be considered on a case by case basis by the joint-lead agencies.
- C. All parties agree that because of the need for timely completion of NEPA compliance, work will proceed as expeditiously as possible, including data gathering, analysis, and document review. However, all parties agree that sufficient time must be allowed to ensure thorough document review. It is anticipated that the parties will be given a minimum of 30 days to review the preliminary draft EIS and a minimum of 30 days to review the draft final EIS.

#### **IX. Resolution of Disputes**

Reclamation and NPS are responsible for all decisions involving the EIS and will make all final decisions on disputes arising during the NEPA process. The joint-lead agencies will document the nature of any dispute and the resolution of the dispute. Documentation of resolution will be made available to appropriate parties.

#### **X. Standard Conditions:**

- A. **AUTHORITIES.** Nothing in this MOU shall be construed to extend the jurisdiction or decision-making authority of any party to this MOU beyond that which exists under current laws and regulations. Nothing in this MOU shall be construed as limiting or affecting the authority or legal responsibility of any party, or as binding any party to perform beyond the

respective authority of each, or to otherwise violate any applicable law, regulation or policy or to require any party to assume or expend any specific sum of money. The provisions of this MOU are subject to the laws of the United States; and the regulations of the Department of the Interior, as they may be applicable. Nothing in this MOU shall be construed as affecting the decision-making requirements of any party or impairing the independent judgment of each party regarding policy decisions.

- B. RELEASE OF INFORMATION.** Except as required by court order or ruling, the joint - lead agencies and the cooperating agency will not release any pre-decisional material or working information or documents to the public other than through an approved Freedom of Information Act request or an approved request made under the Navajo Nation Privacy Act, or unless the agency or agencies have already disseminated the specific materials or documents to the public. The agencies agree to inform each other if it is determined that there is a legal requirement to release any such information, and that information will include expected release date of the information.
- C. LEGAL RIGHTS AND REMEDIES.** Nothing in this MOU shall be construed to alter the legal rights and remedies that each party would otherwise have. No party waives any legal rights or defenses by entering into this MOU or participating in the process contemplated hereby, including that nothing herein shall be construed as a waiver, express or implied, of any party's sovereign immunity. This MOU is not a Federal contract, rule, or regulation. This MOU shall not be construed as or interpreted to be final Federal agency action.
- D. SEVERABILITY.** Should any portion of this MOU be judicially determined to be illegal or unenforceable, the remainder of the MOU shall continue in full force and effect, and any party may renegotiate the terms affected by the severance.
- E. THIRD PARTY BENEFICIARY RIGHTS.** The parties do not intend to create in any other individual or entity the status of third party beneficiary, and this MOU shall not be construed so as to create such status. The rights, duties and obligations contained in this MOU shall operate only among the parties to this MOU, and shall inure solely to the benefit of the parties to this MOU. The provisions of this MOU are intended only to assist the parties in determining and performing their obligations under this MOU.
- F. NON-FUND OBLIGATION DOCUMENT.** This MOU is neither a fiscal nor a funds obligation document. Any endeavor or transfer of anything of value involving reimbursement or contribution of funds between the parties to this instrument will be handled in accordance with applicable laws, regulations, and procedures including those for Government procurement and printing. Such endeavors will be outlined in separate agreements that shall be made in writing by representatives of the parties and shall be independently authorized by appropriate rules, policies, and statutory authority. This MOU does not provide such authority. Specifically, this MOU does not establish authority for noncompetitive award to the cooperator of any contract or other agreement. Nothing herein constitutes a binding commitment to fund any of the proceedings encompassed by the MOU. Any specific cost sharing or funding shall be executed separately through other funding mechanisms, as deemed necessary and appropriate by each of the signatories.

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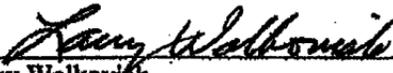
notice of termination to the other party. Otherwise, the cooperative status will terminate when a Record of Decision is issued or the EIS is terminated.

- B. This MOU may be executed in separate counterparts, and such counterparts when executed shall constitute an original.

**XII. Signatures**

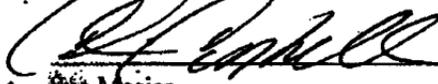
The parties hereto have executed this Memorandum of Understanding as of the dates shown below.

**BUREAU OF RECLAMATION**

  
\_\_\_\_\_  
Larry Walkovjak  
Regional Director  
Upper Colorado Region  
Bureau of Reclamation  
Date JUNE 18, 2014

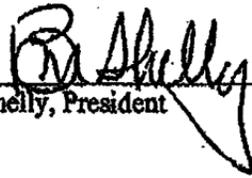
**NATIONAL PARK SERVICE**

  
\_\_\_\_\_  
Raymond M. Sauvajot, Ph.D.  
Acting Associate Director  
Natural Resource Stewardship and Science  
National Park Service  
Date 10/10/2014

  
\_\_\_\_\_  
Eric Masica  
Regional Director  
Intermountain Region  
National Park Service  
Date July 16, 2014

  
\_\_\_\_\_  
Christine Lehnertz  
Regional Director  
Pacific West Region  
National Park Service  
Date 02 October 2014

**THE NAVAJO NATION**

  
\_\_\_\_\_  
Ben Shelly, President  
Date JUN 09 2014

**(f) Pueblo of Zuni**

**Memorandum of Understanding**

Between

The Bureau of Reclamation and the National Park Service

And

The Pueblo of Zuni

For the Environmental Impact Statement for Adoption of a Long Term Experimental and Management Plan for the Operation of Glen Canyon Dam

**I. Introduction and Purpose**

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Reclamation and the NPS will be joint-leads for this effort because Reclamation has primary responsibility for operation of Glen Canyon Dam and the NPS has primary responsibility for managing Grand Canyon National Park, Glen Canyon National Recreation Area, and Lake Mead National Recreation Area.

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- agencies agree to inform each other if it is determined that there is a legal requirement to release any such information, and that information will include expected release date of the information.
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**XII. Signatures**

The parties hereto have executed this Memorandum of Understanding as of the dates shown below.

BUREAU OF RECLAMATION

  
\_\_\_\_\_  
Larry Walkoviak  
Regional Director  
Upper Colorado Region  
Bureau of Reclamation

Date August 3, 2012

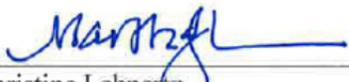
NATIONAL PARK SERVICE

  
\_\_\_\_\_  
Herbert C. Frost  
Associate Director for Natural Resources, Stewardship and Science  
National Park Service

Date 7/6/2012

  
\_\_\_\_\_  
John Wessels  
Regional Director  
Intermountain Region  
National Park Service

Date 8/13/12

*for*   
\_\_\_\_\_  
Christine Lehnertz  
Regional Director  
Pacific West Region  
National Park Service

Date 8/29/12

THE PUEBLO OF ZUNI

  
\_\_\_\_\_  
*For:* Arlen Quetawki Sr., Governor

Date 07-26-12

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**ATTACHMENT N.2**

(a) Multiple Tribes

United States Department of the Interior



BUREAU OF RECLAMATION  
Upper Colorado Regional Office  
125 South State Street  
Salt Lake City, UT 84138



NATIONAL PARK SERVICE  
Intermountain Region Office  
12795 Alameda Parkway  
Denver, CO 80225

November 30, 2011

Bernadine Jones, Chairwoman  
The Havasupai Tribe  
PO BOX 10  
Supai, AZ 86435

Dear Ms. Jones,

The Department of the Interior, through the Bureau of Reclamation (Reclamation) and the National Park Service (NPS) as co-lead agencies, intend to prepare an Environmental Impact Statement (EIS) under the provisions of the National Environmental Policy Act (NEPA) for a Long-Term Experimental and Management Plan (LTEMP) for Glen Canyon Dam operations. A primary function of the LTEMP, which will be developed based on tribal and public input and the latest science, will be to review the results of experiments that have been successfully completed and use this information to guide development of future experimental and management actions. Through the LTEMP EIS, alternatives will be developed and evaluated that consider potential future modifications to Glen Canyon Dam operations and other resource management and protection actions.

The Department's decision to develop the LTEMP is a component of its efforts to continue to comply with the ongoing requirements and obligations established by the Grand Canyon Protection Act of 1992 (Pub. L. 102-575) (GCPA) to protect, mitigate adverse impacts to, and improve the conditions for which Grand Canyon National Park and Glen Canyon National Recreation Area were established, while continuing to comply with the Law of the River. Although the GCPA does not apply to the Lake Mead National Recreation Area, effects to the resources at Lake Mead will be considered in the LTEMP EIS. Enclosed please find a map of the project area.

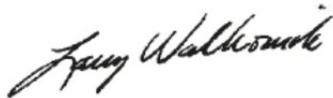
The purpose of this letter is to initiate government-to-government consultation on the LTEMP under Section 106 of the National Historic Preservation Act of 1966 (NHPA), as amended, and other relevant authorities. Through consultation, you will have opportunities to identify concerns related to historic properties, including traditional cultural properties and archaeological sites, natural resources, Indian trust assets as appropriate, and other issues of importance to your tribe. The NPS and Reclamation intend to follow 36 CFR 800.8(c), and use the process and documentation required for the preparation of all NEPA documents to comply with Section 106 in lieu of the procedures set forth in Sections 800.3 through 800.6.

The NPS and Reclamation began the NEPA Public Scoping process for this EIS with publication of the Notice of Intent in the Federal Register on July 6, 2011. We recently completed seven initial public scoping meetings; the deadline for receiving public comments on the scope of the EIS is January 31, 2012. More information can be found on the project website at <http://ltempeis.anl.gov/>.

Effects of the operations of Glen Canyon Dam have been evaluated for more than 20 years. The 1995 EIS for Glen Canyon Dam operations and the subsequent Glen Canyon Dam Adaptive Management Program have allowed us to better understand the relationship of water releases and downstream effects. The LTEMP EIS will draw on the research and knowledge we have acquired, and continue to acquire, to determine how the dam is operated for the next 20 years.

If you are interested in consulting on the LTEMP, please contact us at your earliest convenience and identify a point of contact for communication. If you would like to schedule meetings with us, please let us know as we plan to schedule these meetings by the end of January 2012, and conduct them as soon as is practicable. We will provide opportunities to meet and consult with you throughout the EIS process. Please contact Jan Balsom at (928) 638-7758 or Janet Cohen at (928) 638-7445, Grand Canyon National Park, or Keith Waldron, Bureau of Reclamation, at (801) 524-3816 at your earliest convenience.

Sincerely,



---

Larry Walkoviak  
Regional Director  
Upper Colorado Region  
Bureau of Reclamation

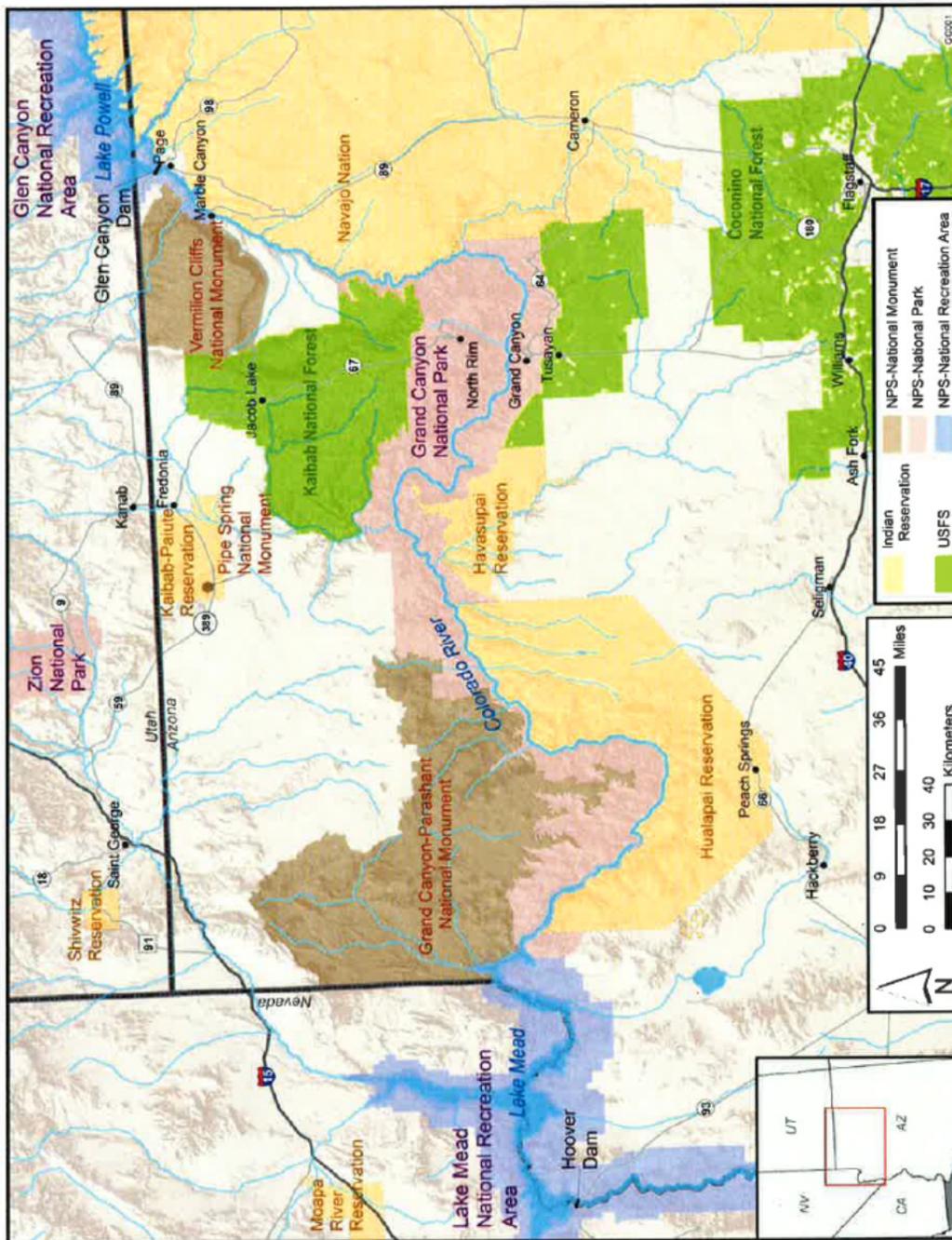


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John Wessels  
Regional Director  
Intermountain Region  
National Park Service

Enclosure: Project area map

cc: GRCA: Superintendent Uberuaga, Martha Hahn, Jan Balsom, Janet Cohen  
LAKE: Superintendent Dickenson, Kent Turner, Steve Daron  
GLCA: Superintendent Brindle, Brian Carey, Chris Hughes, Rosemary Sucec  
IMR/WASO: Rob Billerbeck, Tammy Whittington, Karen Breslin, Chris Turk, Bert Frost, Pat Walsh  
BOR: Beverley Heffernan, Glen Knowles, Keith Waldron  
DOI: Jane Lyder, Lori Caramanian  
Travis Hamidreek, Natural Resources



**List of Recipients**

Name	2ndName	Tnbe	Add1	Add2	City	Cc1	Cc2	Cc3
Louis Mamel, Jr., Chairperson		Ak Chin Indian Community	42507 W. Peters & Nail Road		Maricopa, AZ 85138			
Charles Wood, Chairperson		Chemehuevi Tribal Council	PO BOX 1976		Chemehuevi Valley, CA 92362			
Cara MacDonald	Director of Cultural Resources	Chemehuevi Tribal Council	PO BOX 1976		Chemehuevi Valley, CA 92363			
Sherry Cordova, Chairperson		Cocopah Indian Tribe	County 15th & Avenue G		Somerton, AZ 85350			
H. Jill McCormick	Cultural Resources Manager	Cocopah Indian Tribe	Co. 15th St. & Ave. G		Somerton, AZ 85350			
Eldred Enas, Chairman		Colorado River Indian Tribes	26600 Mohave Road		Parker, AZ 85344			
Clinton Pattea, President		Fort McDowell Yavapai Tribal Council	PO BOX 17779		Fountain Hills, AZ 85268			
Karen Ray	Cultural Development Office		PO BOX 17779		Fountain Hills, AZ 85268			
Timothy Williams, Chairperson		Fort Mojave Tribal Council	500 Merriam Avenue		Needles, CA 92363			
William R. Rhodes, Governor		Gila River Indian Community Council	PO BOX 97		Sacatonc, AZ 85147			
Bernadine Jones, Chairwoman		The Havasupai Tribe	PO BOX 10		Supai, AZ 86435			
Travis Hamdreek	Natural Resources	The Havasupai Tribe	PO BOX 10		Supai, AZ 86435			
Leroy Ned Shingotewa, Chairman		The Hopi Tribe	PO BOX 123		Kykotsmovi, AZ 86039			
Leigh Kuwanwisiwma	Cultural Preservation Officer	The Hopi Tribe	PO BOX 123		Kykotsmovi, AZ 86039			
Mike Yeatts	Tribal Archaeologist	The Hopi Tribe	PO BOX 123		Kykotsmovi, AZ 86039			
Louise Benson, Chairwoman		The Hualapai Tribe	PO BOX 179		Peach Springs, AZ 86434			
Loretta Jackson-Kelly	Tribal Historic Preservation Officer	The Hualapai Tribe	PO BOX 300		Peach Springs, AZ 86434			
Lee Pasata, President		Jicarilla Apache Nation	PO BOX 507		Dulce, NM 87528			

1

Manuel Savala, Chairman		Kaibab Band of Paiute Indians	Tribal Affairs Building	HC-65, Box 2	Pipe Spring, AZ 86022			
Charley Bullets	Cultural Resource Director	Kaibab Band of Paiute Indians	Tribal Affairs Building	HC-65, Box 2	Pipe Spring, AZ 86022			
Toma Means, Chairperson		Las Vegas Tribe of Paiute Indians	One Paiute Drive		Las Vegas, NV 89106			
Ramona Salazar		Las Vegas Tribe of Paiute Indians	One Paiute Drive		Las Vegas, NV 89106			
Kenny Anderson		Las Vegas Tribe of Paiute Indians	One Paiute Drive		Las Vegas, NV 89106			
William Anderson, Chairman		Moapa Band of Paiute Indians	PO BOX 340		Moapa, NV 89025			
Deanna Domingo	Cultural Committee	Moapa Band of Paiute Indians	PO BOX 340		Moapa, NV 89025			
Ben Shelly, President		The Navajo Nation	PO Box 7440		Window Rock, AZ 86515			
Alan Downer	Historic Preservation Officer	The Navajo Nation	PO BOX 4950		Window Rock, AZ 86515			
Tony Joe	Supervisory Anthropologist	The Navajo Nation	Division of Natural Resources	PO BOX 4950	Window Rock, AZ 86515			
Jeff Cole	Navajo Fish and Game Department	The Navajo Nation	PO Box 1480		Window Rock, AZ 86515			
Stanley M. Pollack	Assistant Attorney General	Department of Justice	The Navajo Nation	P.O. Drawer 2010	Window Rock, AZ 86515			
Ron Lovato, Governor		Ohkay Owingeh	PO BOX 1099		San Juan Pueblo, NM 87566			
Jeanne Borchardt, Chairperson		Paiute Indian Tribe of Utah	440 North Paiute Drive		Cedar City, UT 84720			
Dorena Martineau		Paiute Indian Tribe of Utah	440 North Paiute Drive		Cedar City, UT 84720			
Peter Yucupicio, Chairperson		The Pascua Yaqui Tribe	7474 S. Camino de Oeste		Tucson, AZ 85746			
Randall Vicente, Governor		The Pueblo of Acoma	PO BOX 309		Acoma, NM 87034			

Robert B. Pecos, Governor		The Pueblo of Cochiti	PO BOX 70		Cochiti, NM 87072			
Michael Toledo, Jr., Governor		The Pueblo of Jemez	PO BOX 100		Jemez Pueblo, NM 87024			
Richard B. Luarkie, Governor		The Pueblo of Laguna	PO BOX 194		Laguna, NM 87026			
Ernest Mirabel, Governor		The Pueblo of Nambe	Route 1	Box 117-BB	Santa Fe, NM 87501			
George Rivera, Governor		The Pueblo of Pojoaque	7800 Cities of Gold Road		Santa Fe, NM 87506			
Raymond Sandoval, Jr., Governor		The Pueblo of San Felipe	PO BOX 4339		San Felipe, NM 87001			
Malcolm Montoya, Governor		The Pueblo of Sandia	481 Sandia Loop		Bernalillo, NM 87004			
Lawrence Montoya, Governor		The Pueblo of Santa Ana	2 Dove Road		Santa Ana Pueblo, NM 87004			
Walter Dashend, Governor		The Pueblo of Santa Clara	PO BOX 580		Espanola, NM 87532			
Mark Mitchell, Governor		The Pueblo of Tesuque	RR 42	Box 360-T	Santa Fe, NM 87506			
Marcellus Medina		The Pueblo of Zia	135 Capitol Square Drive		Zia Pueblo, NM 87053			
Arlen P. Quetawki, Sr., Governor		The Pueblo of Zuni	PO BOX 339		Zuni, NM 87327			
Kurt Dongoske	Zuni Heritage and Historic Preservation Office	The Pueblo of Zuni	PO BOX 339		Zuni, NM 87327			
Mike Jackson, Sr., President		Fort Yuma Quechan Tribe	PO BOX 1899		Yuma, AZ 85366			
Pauline Jose	Cultural Preservation Committee	Fort Yuma Quechan Tribe	PO BOX 1899		Yuma, AZ 85366			
Keeney Escalanti Sr.	Vice President	Fort Yuma Quechan Tribe	PO BOX 1899		Yuma, AZ 85366			
Diane Enos, President		Salt River Pima-Maricopa Indian Community	10005 E. Osborn		Scottsdale, AZ 85256			
Shane Anton	Cultural Resources Dept.	Salt River Pima-Maricopa Indian Community	10005 E. Osborn		Scottsdale, AZ 85256			

Mary Kim Titla, Chairwoman		San Carlos Apache Tribe	PO BOX 1240		San Carlos, AZ 85550			
Lee Choe	Interim Chair	San Juan Southern Paiute Tribe	PO Box 1989		Tuba City, AZ 86045			
Kelly Youngbear, Superintendent		Southern Paiute Agency	BIA	PO BOX 720	St. George, UT 84771			
Matthew J. Box, Chairman		Southern Ute Tribal Council	PO BOX 737		Ignacio, CO 81137			
Neil Cloud	NAGPRA Coordinator	Southern Ute Tribal Council	PO BOX 737		Ignacio, CO 81137			
Ned Norris, Jr.		Tohono O'odham Nation	PO BOX 837		Sells, NM 85634			
Ivan Smith, Chairman		Tonto Apache	Tonto Apache Reservation #30		Payson, AZ 85541			
Richard Jenks, Chairman		Ute Indian Tribe	PO BOX 190		Ft. Duchesne, UT 84026-0190			
Ms. Betsy Chapoose	Cultural Rights and Protection Office	Ute Indian Tribe	PO BOX 190		Ft. Duchesne, UT 84026-0190			
Gary Hayes, Chairman		Ute Mountain Ute Tribe	P. O. Box JJ		Towaco, CO 81334			
Terry Knight, Sr.		Tribal Historic Preservation Officer	Ute Mountain Ute Tribe	PO BOX 468	Towaco, CO 81334			
Ronnie Lupe, Chairman		White Mountain Apache	PO BOX 700		Whiteriver, AZ 85941			
Mark T. Altaha	Historic Preservation Office	White Mountain Apache	PO BOX 507		Fort Apache, AZ 85926			
David Kwail, Chairman		Yavapai-Apache Nation	2400 W. Datsi Street		Camp Verde, AZ 86322			
Chris Coder		Yavapai-Apache Nation	2400 W. Datsi Street		Camp Verde, AZ 86322			
Ernest Jones, Sr., President		Yavapai-Prescott Indian Tribe	530 E. Merritt		Prescott, AZ 86301			
Linda Ogo	Cultural Research Committee	Yavapai-Prescott Indian Tribe	530 E. Merritt		Prescott, AZ 86301			

United States Department of the Interior



BUREAU OF RECLAMATION  
Upper Colorado Regional Office  
125 South State Street  
Salt Lake City, UT 84138



NATIONAL PARK SERVICE  
Intermountain Region Office  
12795 Alameda Parkway  
Denver, CO 80225

December 8, 2011

Bernadine Jones  
Chairwoman  
The Havasupai Tribe  
PO BOX 10  
Supai, AZ 86435

Dear Chairwoman Jones:

The Department of the Interior, through the Bureau of Reclamation (Reclamation) and the National Park Service (NPS) as co-lead agencies, intends to prepare an Environmental Impact Statement (EIS) under the provisions of the National Environmental Policy Act (NEPA) for a Long-Term Experimental and Management Plan (LTEMP) for Glen Canyon Dam operations. A primary function of the LTEMP, which will be developed based on cooperators, tribal, and public input and the latest science, will be to review the results of experiments that have been successfully completed and use this information to guide development of future experimental and management actions. The LTEMP is intended to develop and implement a structured, long-term experimental and management plan, to determine the need for potential future modifications to Glen Canyon Dam operations, and to determine whether to establish an Endangered Species Act Recovery Implementation Program for endangered fish species below Glen Canyon Dam.

The Department's decision to develop the LTEMP is a component of its efforts to continue to comply with the ongoing requirements and obligations established by the Grand Canyon Protection Act of 1992 (Pub. L. 102-575) (GCPA) to protect, mitigate adverse impacts to, and improve the conditions for which Grand Canyon National Park and Glen Canyon National Recreation Area were established, while continuing to comply with the Law of the River. Although the GCPA does not apply to the Lake Mead National Recreation Area, effects to the resources at Lake Mead will be considered in the LTEMP EIS. Enclosed, please find a map of the project area.

Effects of the operations of Glen Canyon Dam have been evaluated for more than 20 years. The 1995 EIS for Glen Canyon Dam operations and the subsequent Glen Canyon Dam Adaptive Management Program have allowed us to better understand the relationship of water releases and downstream effects. The LTEMP EIS will draw on this existing research and knowledge to determine how the dam will be operated in the future.

In accordance with 40 CFR 1501.6 of the Council on Environmental Quality's (CEQ) regulations for implementing the procedural provisions of NEPA, and 43 CFR 46.225 of the Department of

the Interior's regulations for implementation of NEPA, the NPS and Reclamation are inviting the Havasupai Tribe to be a cooperating agency in the LTEMP EIS process. Your participation in the LTEMP EIS process will assist us in making a more informed decision. Participation as a cooperating agency does not imply that your agency supports the proposed project.

The scope of your agency's involvement as a cooperating agency should include those areas, resources, or issues under its jurisdiction or within its area of expertise. Should your agency choose to assume cooperating status, your specific responsibilities as a cooperating agency will include:

- Participation in the NEPA scoping and environmental review process including draft document review.
- Providing comments on the project's purpose and need, goals and objectives, methodologies, and range of alternatives.
- Providing comment on project coordination and project schedule.
- Providing (upon request of the co-lead agencies) information and assistance with the preparation of environmental analyses (portions of the NEPA documents relevant to your agency's jurisdiction or area of special expertise).
- Providing staff support at the lead agencies' request to enhance the agencies' interdisciplinary capability.
- Using your agency's own funds for participation.

An email was sent from Anne Castle, Assistant Secretary of the Department of the Interior, on January 21, 2011, to determine preliminary interest from potential cooperating agencies. An initial meeting with potential cooperators was held on February 11, 2011, to address questions and concerns related to this process. To follow up on these initial contacts, we now ask that you formally let us know if you would like to participate as a cooperating agency in the development of the LTEMP EIS. Should the Havasupai Tribe choose to decline cooperating agency status in part or in whole, we ask that you confirm this in writing. We have enclosed a form to facilitate your response to this cooperating agency invitation and ask that you complete and return this form, or otherwise respond in writing, not later than Friday, January 6, 2012.

At this time we are tentatively planning cooperator meetings in Phoenix sometime in February 2012. We will arrange for phone-in capability for all cooperating agency meetings. If you have any questions, please contact the EIS project managers, Beverley Heffernan, Bureau of Reclamation, at (801) 524-3712, or Rob Billerbeck, National Park Service, at (303) 987-6789. We look forward to working with you in developing the LTEMP EIS.

Sincerely,



Larry Walkoviak  
Regional Director  
Upper Colorado Region  
Bureau of Reclamation



John Wessels  
Regional Director  
Intermountain Region  
National Park Service

Enclosures: Response Form and Project Area Map

cc: GRCA: Superintendent Uberuaga, Martha Hahn, Jan Balsom,  
 LAKE: Superintendent Dickenson, Kent Turner,  
 GLCA: Superintendent Brindle, Brian Carey, Chris Hughes,  
 IMR/WASO: Rob Billerbeck, Tammy Whittington, Karen Breslin, Chris Turk, Bert Frost,  
 Pat Walsh  
 BOR: Beverley Heffernan, Glen Knowles  
 DOI: Jane Lyder, Lori Caramanian

**List of Recipients**

Name	2ndName	Tribe	Add1	Add2	City	Cc1	Cc2	Cc3
Bernadine Jones, Chairwoman		The Havasupai Tribe	PO BOX 10		Supai, AZ 86435			
Leroy Ned Shingotewa, Chairman		The Hopi Tribe	PO BOX 123		Kykotsmovi, AZ 86039			
Louise Benson, Chairwoman		The Hualapai Tribe	PO BOX 179		Peach Springs, AZ 86434			
Mamel Savala, Chairman		Kaibab Band of Paiute Indians	Tribal Affairs Building	HC-65, Box 2	Pipe Spring, AZ 86022			
Tonia Means, Chairperson		Las Vegas Tribe of Paiute Indians	One Paiute Drive		Las Vegas, NV 89106			
William Anderson, Chairman		Moapa Band of Paiute Indians	PO BOX 340		Moapa, NV 89025			
Ben Shelly, President		The Navajo Nation	PO Box 7440		Window Rock, AZ 86515			
Jeamme Borchardt, Chairperson		Paiute Indian Tribe of Utah	440 North Paiute Drive		Cedar City, UT 84720			
Arlen P. Quetawki, Sr., Governor		The Pueblo of Zuni	PO BOX 339		Zuni, NM 87327			
Lee Choe	Interim Chair	San Juan Southern Paiute Tribe	PO Box 1989		Tuba City, AZ 86045			
David Kwail, Chairman		Yavapai-Apache Nation	2400 W. Datsi Street		Camp Verde, AZ 86322			

**Glen Canyon Dam  
Long Term Experimental and Management Plan (LTEMP)  
Cooperating Agency Interest**

Please return this form by January 6, 2012, to indicate your interest in participating as a cooperating agency in the development of a Long-Term Experimental and Management Plan and Environmental Impact Statement for the Glen Canyon Dam.

A cooperating agency agreement will be developed to identify the specific roles and responsibilities of each agency. In general, cooperating agencies provide information in their areas of special expertise, which will assist the Bureau of Reclamation and the National Park Service in making a more informed decision.

\_\_\_\_\_ Yes, we are interested in participating as a cooperating agency.

\_\_\_\_\_ No, we are not interested in participating as a cooperating agency.

Agency: \_\_\_\_\_

Contact: \_\_\_\_\_

Title: \_\_\_\_\_

Office: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Direct Phone: \_\_\_\_\_

Office Phone: \_\_\_\_\_

Mobile Phone: \_\_\_\_\_

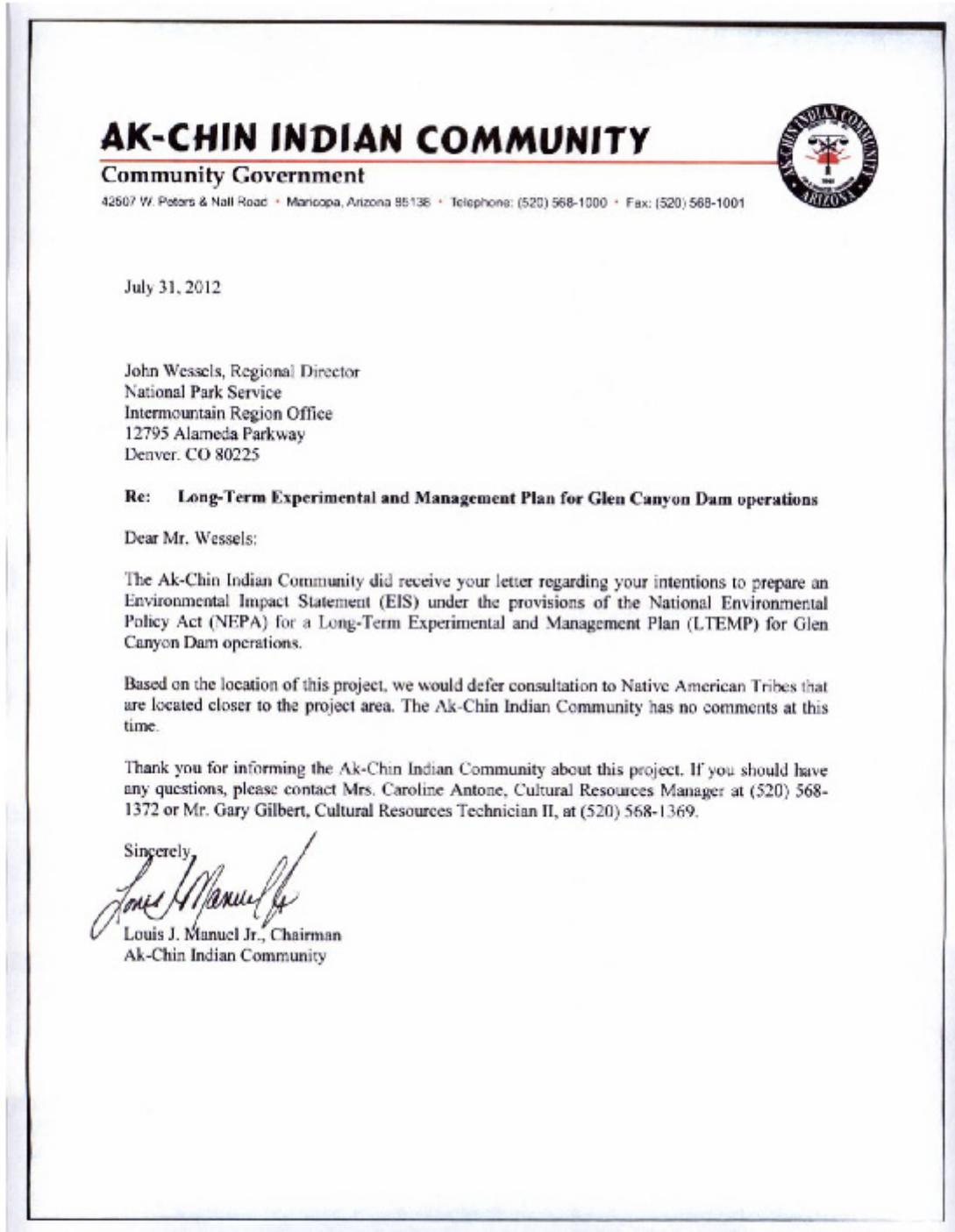
Fax: \_\_\_\_\_

Email: \_\_\_\_\_

Please return the form by January 6, 2012 to:

Glen Canyon Dam LTEMP EIS Cooperators  
Argonne National Laboratory  
9700 S. Cass Ave. – EVS/240  
Argonne IL 60439

(b) Ak-Chin Indian Community



(c) **Gila River Indian Community**



**GILA RIVER INDIAN COMMUNITY**

POST OFFICE BOX 2140, SACATON, AZ 85147

TRIBAL HISTORIC PRESERVATION OFFICE

(520) 562-7162  
Fax: (520) 562-5083

January 3, 2012

John Wessels, Regional Director  
National Park Service  
Intermountain Region Office  
12795 Alameda Parkway  
Denver, Colorado 80225

RE: Department of the Interior, Bureau of Reclamation and National Park Service Co-Lead Agencies, Environmental Impact Statement (EIS) Preparation Long Term Experimental and Management Plan (LTEMP) Glen Canyon Dam Operations

Dear Mr. Wessels,

The Gila River Indian Community Tribal Historic Preservation Office (GRIC-THPO) has received your letter initiating government-to-government consultation regarding the preparation of an EIS for operations at the Glen Canyon Dam. The GRIC-THPO would be an interested consulting entity and we can be reached at the address listed on the letterhead. The proposed project area is within the ancestral lands of the Four Southern Tribes (Gila River Indian Community; Salt River Pima-Maricopa Indian Community; Ak-Chin Indian Community and the Tohono O'odham Nation).

Thank you for consulting with the GRIC-THPO on this project. If you have any questions please do not hesitate to contact me or Archaeological Compliance Specialist Larry Benallie, Jr. at 520-562-7162.

Respectfully,

Barnaby V. Lewis  
Tribal Historic Preservation Officer  
Gila River Indian Community

(d) **Havasupai Tribe**

**Glen Canyon Dam  
Long Term Experimental and Management Plan (LTEMP)  
Cooperating Agency Interest**

Please return this form by January 6, 2012, to indicate your interest in participating as a cooperating agency in the development of a Long-Term Experimental and Management Plan and Environmental Impact Statement for the Glen Canyon Dam.

A cooperating agency agreement will be developed to identify the specific roles and responsibilities of each agency. In general, cooperating agencies provide information in their areas of special expertise, which will assist the Bureau of Reclamation and the National Park Service in making a more informed decision.

Yes, we are interested in participating as a cooperating agency.

No, we are not interested in participating as a cooperating agency.

Agency: Havasupai Tribe  
Contact: Don Watahomigie  
Title: Chairman  
Office: Havasupai Tribal Council  
Address: Box 10  
Supai, AZ 86435

Direct Phone: 928-660-0023  
Office Phone: 928-448-2731  
Mobile Phone: \_\_\_\_\_  
Fax: 928-448-2551  
Email: htchair@havasupai-nsh.gov

→ main Tribal office #  
Tribal Secretary is  
Jaycee Manakaja

Please return the form by January 6, 2012 to:

Glen Canyon Dam LTEMP EIS Cooperators  
Argonne National Laboratory  
9700 S. Cass Ave. – EVS/240  
Argonne IL 60439

## HAVASUPAI TRIBAL COUNCIL

P.O. BOX 10 • SUPAI, ARIZONA 86435  
(928) 448-2731 • FAX (928) 448-2551

June 21, 2012

Kirk E. LaGory, Ph.D.  
Environmental Science Division  
Argonne National Laboratory  
9700 s. Cass Ave., Building 240  
Argonne, Ill. 60439

Sent via email to [lagory@anl.gov](mailto:lagory@anl.gov) and via mail

Re: Comments on Preliminary Draft LTEMP Alternatives

Dr. LaGory,

We thank the NPS and BoR for the opportunity to work on the LTEMP EIS process as a cooperating agency. We have reviewed the Preliminary Draft Alternatives distributed for Cooperating Agency Review on June 7, 2012 and have the following comments.

The Havasupai Tribe supports operation of Glen Canyon Dam in a way that is closest to natural conditions prior to construction of the dam. The Havasupai have resided in the study area since time immemorial. Significant religious, cultural and historical sites are located in that part of the river corridor that is within their aboriginal territory.

As a matter of form and in recognition of the Secretary's trust responsibility to the Tribe, the Havasupai request that in the lists of considerations "Indian Tribal interests" be listed before ESA. (see page 2)

The Havasupai Tribe requests that the following actions be added to the Elements Potentially Common to All Alternatives:

1. Protection of burial sites and artifacts from erosion and exposure from high flows. In previous flood events burial sites and artifacts of the Havasupai located along the river have been exposed.

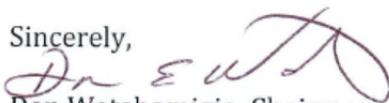
2. Timely notice to the Havasupai of changes in flow regimes. Numerous people access the river corridor through the Havasupai Reservation and their safety depends on adequate notice from the Tribe of potential hazards within the River Corridor.
3. River flow regimes should not disrupt the flow of springs close to the river.

Draft Alternative #1, Condition-Dependent Adaptive Strategy is not developed sufficiently to provide comments. The decision tree process cannot be evaluated without knowing the conditions and triggers that will prompt different decisions to be made.

Draft Alternative #3, No Action, includes modifications in the current Adaptive Management Plan as required by other decisions. In order to provide a baseline for comparison of Alternatives and comparison of the decisions under this EIS to the current Adaptive Management Plan, the No Action alternative should describe in detail current conditions. If the current conditions will change prior to implementation of the LTEMP this should be explained in detail so that comparisons may be made and cumulative impacts determined.

Thank you for the opportunity to participate in this process. We look forward to working with you.

Sincerely,



Don Watahomigie, Chairman

**From:** Carr, Adrienne E.  
**Sent:** Thursday, August 09, 2012 3:38 PM  
**To:** 'Don E. Watahomigie (htchair@havasupai-nsn.gov)'; 'Jaycee Manakaja (htsec1@havasupai-nsn.gov)'  
**Cc:** 'Margaret Vick'; Heffernan, Beverley; Knowles, Glen; Billerbeck, Rob P.; LaGory, Kirk E.  
**Subject:** Response to Havasupai Tribe's comments on June 7 LTEMP Alternatives document

Please find the responses to the Havasupai Tribe's comments on the preliminary draft LTEMP Alternatives document for cooperating agencies.

Very best regards,  
Adrienne

~~~~~  
Adrienne Carr, Ph.D.  
Hydrologist  
Environmental Science Division  
Argonne National Laboratory  
9700 S. Cass Avenue, EVS-240  
Argonne, IL 60439

630-252-1572 (office)  
650-799-2625 (mobile)  
[adrienne@anl.gov](mailto:adrienne@anl.gov)

|

Response to Havasupai Tribal Council Comments Received on Preliminary Draft Alternatives

Thank you for your comments, your input is appreciated and helpful for the development of this EIS. Regarding your comment about the order of the tribal trust responsibilities in relation to ESA in the "Need" statement, we did not intend to imply any priority in the listing of items. Both responsibilities are important for this EIS.

Regarding the elements that you mentioned in your letter:

1. Impacts to burial sites and artifacts will be considered in the LTEMP EIS. As a part of compliance with both the NHPA and the GCPA, a goal of alternatives developed for the EIS will be to protect and where possible improve sites. In the context of your comment, we know that if additional sediment in certain areas would help reduce the likelihood of unwanted exposure of burials or other sites, this would be a desirable outcome.
2. The recently signed MOA for the High Flow Experiment Protocol EA provides that there will be at a minimum a 30-day notice for any high flow experiment. We expect to propose similar steps for any new actions under the LTEMP EIS.
3. The EIS team plans to examine impacts to all resources. We would like further explanation as to what the Havasupai mean by "disrupt the flow of springs close to the river." There has been research on these groundwater-fed springs, but we want to make sure that we understand your concerns before responding to this comment.

Draft Alternative #1. Thank you for your comment. We agree that the draft alternatives documented dated June 7, 2012, did not contain sufficient information for full evaluation, but we did want to circulate it for cooperating agency anyway in order to maximize cooperators' opportunities for input on the development of alternatives.

Draft Alternative #3. We agree that the EIS should fully describe current conditions and this will be appropriately captured in the 'affected environment' section of the EIS. The no action alternative is by definition how the Glen Canyon Dam will be operated in the future should none of the LTEMP EIS action alternatives be selected for implementation. This means that 'no action' would be continued operation under the 1996 ROD plus implementation of the HFEP and nonnative fish control in accordance with the two recently issued Findings of No Significant Impact.

**From:** Margaret Vick [<mailto:mjvick@gmail.com>]  
**Sent:** Wednesday, August 29, 2012 9:18 PM  
**To:** LaGory, Kirk E.  
**Cc:** Tribal Chair; [htvchair@havasupai-nsn.gov](mailto:htvchair@havasupai-nsn.gov); Uberuaga, David V.; Balsom, Janet R.; Heffernan, Beverley; Amy Heuslein; Carr, Adrienne E.  
**Subject:** Havasupai Comments on Tribal Perspectives and Process

Dr. LaGory,

Please find attached two documents: the comments and revised text from the Havasupai Tribe for the section titled Tribal Perspectives and my comments as attorney for the Havasupai Tribe on the EIS process for incorporating tribal input.

The Havasupai Tribal Council discussed the draft section on Tribal Perspectives at several different tribal council meetings. They want to point out to the consultants drafting these documents that the Havasupai do not share a common origin story with other Pai tribes. It should also be noted that the exclusive aboriginal territory of the Havasupai as determined by the Indian Claims Commission was from the Colorado River on the north to the Little Colorado River on the east to the San Francisco Peaks, south to Bill Williams Mountain and on the west to the Aubry Cliffs. Other tribes now claim areas within the Havasupai aboriginal territory but the Havasupai do not support this and the ICC found otherwise.

The attached statement of the Havasupai relationship to the affected area is the only statement that has been approved for inclusion.

Thank you for your cooperation.

Best regards,

Margaret Vick

---

Margaret J. Vick, JSD  
**Margaret J. Vick, PLC**  
140 E. Rio Salado Pkwy, #607  
Tempe, AZ 85281  
USA  
+1 602.814.7666  
[mjvick@gmail.com](mailto:mjvick@gmail.com)

**Margaret J. Vick, PLC**

---

140 E. Rio Salado Pkwy #607  
Tempe, AZ 85281

602 814 7666  
[mjvick@gmail.com](mailto:mjvick@gmail.com)

August 27, 2012

Kirk E. LaGory PhD  
Argonne National Laboratory  
9700 s. Cass ave., Building 240  
Argonne, IL 60439

Sent via email: [lagory@anl.gov](mailto:lagory@anl.gov)

Re: Tribal consultation and incorporation of information in the LTEMP EIS

Dear Dr. LaGory,

I represent the Havasupai Tribe and provide these comments on the process for inclusion of data and information from Tribes in the LTEMP EIS. This letter incorporates my comments made at the LTEMP Tribal Consultation meeting in Tempe on August 10, 2012.

1. Draft "American Indian Perspectives and Values Related to the Glen Canyon Dam Long-Term Experimental and Management Plan Environmental Impact Statement," prepared by Jennifer Abplanalp and Burce Verhaaren, Argonne National Laboratory.

The EIS for operations of Glen Canyon Dam is not the appropriate document to discuss tribal religious practices, religious origins for Native Americans, regional religious connections or other matters not related to the federal action at issue, the operations of Glen Canyon Dam. Information written by a consultant based on third party publications is suspect to many tribal members and should not be re-published in this document.

The Grand Canyon National Park and the Bureau of Reclamation, the co-lead agencies are both within the Department of Interior and have long standing relationships with the Tribes and Native Americans within the affected region. Those Tribes for whom the operations of Glen Canyon Dam may be of concern have been identified as potential cooperating agencies and the process includes them in tribal consultations. Each Tribe's religious, cultural and historical connection to the Grand Canyon and surrounding area does not need to be, and cannot be, written into a Tribal Perspectives section of this EIS and remain consistent with those beliefs.

Aug 29, 2012 Page 2

Tribal governments have limited resources to participate in federal EIS processes. Those resources are better used for the substantive issues of concern to the EIS, not refuting third party information published in books and reports.

The descriptions of individual Tribal histories in the Tribal Perspectives section as circulated for comment, do not include tribal perspectives on the operations of Glen Canyon Dam and should be deleted from the EIS.

## 2. Use of Tribal Comments.

The authorized representatives of Tribes will present data, information and comments on many different aspects of the EIS. The Tribal input must be given the same consideration, weight and prominence as other input on the substantive topics. An EIS that reproduces Tribal input in its own section or attaches it as an appendix relegates this input to a class of information separate from “scientific” information. The Decision Maker and the public providing comments on the EIS should have all information on a topic presented in a manner that permits a comprehensive and comparative review.

For example, at the consultation meetings representatives of the Zuni Tribe expressed concerns over the treatment of fish within the Colorado River in particular efforts to control the rainbow trout population. This information should be included in the section on fish, not in a separate Tribal or Zuni section.

The Havasupai Tribe requested notification of high-flow releases in sufficient time to warn hikers within Havasu Canyon. This is a safety concern for recreational users and should be included in the appropriate section.

Appropriate references and attribution to Tribal input may be included in the text similar to other citations. For example, references might look like this: Havasupai, 2012a, Letter from Chairman, Havasupai Tribe, August 10, 2012, on file.

## 3. Cultural Resources.

The Grand Canyon Protection Act requires that the Secretary operate Glen Canyon Dam “in such a manner as to protect, mitigate adverse impacts to, and improve the values for which Grand Canyon National Park and Glen Canyon National Recreation Area were established, including, but not limited to natural and cultural resources...” Tribal governments and Native Americans have worked with the NPS for decades to identify and protect religious and cultural resources within GCNP and Glen Canyon. The natural environment of the Grand Canyon is significant to Native Americans. The resources are well known to the NPS.

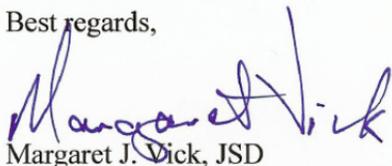
This EIS process should not require a new listing or cultural resources through separate identification of sites, a separate listing or Tribal specific descriptions of locations, their uses or the importance of cultural resources. Consultations with Tribal government

Aug 29, 2012 Page 3

representatives and with Native Americans may be used for clarification and to avoid omissions and is important to the process. However, the requirements of federal law, the Grand Canyon Protection Act and the trust obligation of the Secretary require an analysis of impacts to all cultural resources already known to the Department of Interior. Tribes are not required to submit separate listings for this EIS.

If you have any questions or would like to discuss these comments, please contact me.

Best regards,

A handwritten signature in blue ink that reads "Margaret J. Dick". The signature is written in a cursive style.

Margaret J. Dick, JSD

Cc via email: Don Watahomigie, Chairman  
Matthew Putesoy, Vice Chairman  
David Uberuaga, Supt. GCNP  
Jan Balsom, GCNP  
Beverly Heffernon, BoR  
Amy Heuslein, BIA  
Adrienne E. Carr, Argonne

August 29, 2012

**Comments of the Havasupai Tribe on:**

AMERICAN INDIAN PERSPECTIVES AND VALUES  
RELATED TO THE GLEN CANYON DAM  
LONG-TERM EXPERIMENTAL AND MANAGEMENT PLAN  
ENVIRONMENTAL IMPACT STATEMENT

Prepared by  
Jennifer Abplanalp and Bruce Verhaaren  
Environmental Science Division  
Argonne National Laboratory

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The Havasupai Tribe requests that if the section titled American Indian Perspectives is included in a Draft EIS for LTEMP that the sections related to the Pai be revised to delete all references to the Havasupai making clear that the discussion of origins currently in the draft does not apply to Havasupai. The section on the Havasupai Tribe should be limited to the statements set forth below.

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**Havasupai**

The Havasupai Reservation consists of 188,077 acres of canyon and plateau along the western portion of the Grand Canyon's south rim. In 1975, the Grand Canyon National Park Enlargement Act (PL 93-620) restored 185,000 acres to the Havasupai reservation and identified 95,300 acres of traditional use lands within Grand Canyon National Park that were made available for traditional Havasupai practices. The Havasupai Traditional Use Lands are north of the reservation from the plateau to the Colorado River and extend from approximately river mile 116 to river mile 165. (P.L. 93-620)

The Havasupai Tribe and tribal members have a history interwoven with that of Grand Canyon National Park since creation of the Park from within the Havasupai aboriginal territory. Members of the Havasupai Tribe have access to locations of importance within Grand Canyon National Park guaranteed by the 1919 Act to Establish Grand Canyon National Park, (40 Stat. 1175, 1919) and the 1975 Grand Canyon Enlargement Act, (88 Stat. 2089, 1975).

The Havasupai view everything in and around the Grand Canyon as sacred in all aspects of their cultural, spiritual, and traditional life (Reclamation 1995). The Havasupai were signatories to the 1994 PA, yet, chose not to participate in the GCDAMP. The Tribe works closely with the NPS for protection of cultural sites, historic locations and water resources. They are also members of the Native Voices on the Colorado River, a group that works with Grand Canyon Colorado River Outfitters to increase understanding of tribal relationships with Grand Canyon from their own perspective (NVCR 2012).

**From:** LaGory, Kirk E.  
**Sent:** Thursday, August 30, 2012 10:20 AM  
**To:** Margaret Vick  
**Cc:** Tribal Chair; [htvchair@havasupai-nsn.gov](mailto:htvchair@havasupai-nsn.gov); Uberuaga, David V.; Balsom, Janet R.; Heffernan, Beverley; Amy Heuslein; Carr, Adrienne E.; Billerbeck, Rob P.  
**Subject:** RE: Havasupai Comments on Tribal Perspectives and Process

Margaret:

I received your email, the attached Havasupai Tribe comments on the tribal perspectives section, and your letter regarding the EIS process. I will pass this information on to the joint-lead agencies for their consideration in developing the EIS.

Thank you.

Kirk LaGory

~~~~~  
Kirk E. LaGory, Ph.D.  
Environmental Science Division  
Argonne National Laboratory  
9700 S. Cass Ave., Building 240  
Argonne, Illinois 60439

Office: 630-252-3169  
Cell: 630-564-3169  
Fax: 630-252-6090  
~~~~~

**(e) Hopi Tribe**

-----Original Message-----

From: Mike [mailto:Michael.Yeatts@nau.edu]

Sent: Tuesday, August 27, 2013 5:48 PM

To: LaGory, Kirk E.

Cc: Rinkevich, Sarah; Kurt Dongoske; Bullets, Charley; Tony Joe; Bungart, Peter; Loretta Jackson-Kelly;

Leigh Kuwanwisiwma

Subject: Re: Fwd: REMINDER: Comments on LTEMP Performance Metrics and Models

Attached are some comments on the LTEMP performance metrics from the Hopi Tribe-

Mike Yeatts

HCPO

Hopi comments on Draft LTEMP  
Performance Metrics (01, August, 2013)

General Comment:

An aspect that is still lacking an adequate integration of tribal values overall in the performance measures. Nine goals were developed by the tribes for consideration as additional goals to those that were developed by the agencies. Of these, five were discarded (not by the tribes) as not being useful for discriminating among the alternatives. Of the four remaining ones, only two were addressed within the final performance metrics, and only partially at that. Looking again at the overall suite of tribal goals and expanding on the performance metrics should be a first start at revising the performance metrics. The following comments will provide some specific thoughts on better addressing the tribal values.

1) Archaeological and Cultural Resources

The performance metric currently only addresses an (unknown) subset of the archaeological sites. This measure is probably unlikely to measure the overall impacts/benefits to the full suite of archeological sites and certainly does not get at non-archeological historic properties (eg. TCPs).

For the archeological sites, going back to the Park's monitoring data should provide some other measures with regard to site impacts, flow patterns, visitor effects, etc. Prioritization of sites for treatment was based on this information in the past – hopefully this data can also be used going forward into the future.

For the TCP's the only mechanism I can see to adequately address them is to have specific culturally focused performance metrics under each of the resource categories for which there is a tribal value. In addition, the "ecosystem health" goal needs to be added as something separate from the "natural processes" goal. This is in effect getting at the overall integrity of the Grand Canyon as a TCP. It may be some type of a summation of the individual resource goal (from a tribal perspective). This could be in effect a summation that is calculated from the other data rather than being directly entered.

Finally, from the description of the GLCA penalized flow index, this really doesn't get at historic properties in a systematic manner – it seems to primarily capture recreational issues. Instead, there needs to be a performance measure that gets at site stability throughout the system and not just in Glen Canyon. I do agree that using the aeolian deposition completely ignores the Glen Canyon stretch (and likely most of the sites in Grand Canyon.

2) Sanctity of Life

Measurement of trout removal actions get at one portion of this concept, but do not get at the positive aspects of enhancing opportunities for life. For instance, increasing

habitat for culturally valued birds or animals. As with TCPs, it may be appropriate to add a measure that is the sum of tribal value measures in each of the other specific resource categories.

3) Natural Processes

As currently measured, this is a limited, arbitrary measure of “natural processes” and definitely does not measure system health. In order to be somewhat more rigorous, at a minimum, what is being taken as the “natural pattern” needs to be better defined. Why is only flow and water temperature being used? Why not sediment load, number of species in the riparian zone, percent of the CRE covered by vegetation, number of people present in the canyon, fish species composition, etc? All of these are part of the natural processes. As currently used, this measure is misleading and should either be expanded on or dropped. With what is currently being measured, the desired direction is wrong from the standpoint of Hopi values for the current ecosystem (with a dam in place).

4) Riparian Vegetation

To get at the Hopi values, a metric that looks at marsh habitats might be appropriate as a proxy for one aspect of the canyon as a TCP. In addition, a measure of the “value” of the vegetation as habitat for birds and other animal life would be helpful in addressing the both TCP aspects and sanctity of life. Both the type and coverage may have substantially different carrying capacities and species compositions.

5) Non-native Aquatic Species

Aquatic (or other) parasites that only effect non-native species might be considered a positive development.

6) Recreation

Use of crowding at the head of rapids because of “low” flows is really not an effective measure of wilderness, particularly at the flows that are being considered (if flows below 5,000cfs were in alternatives then there would be more of an issue, particularly with motor boats – though wilderness and motor boat has its own issue).

Also, for the Hopi, anything that increases the amount of recreation, distributes it more broadly throughout the year, or puts more people at greater numbers of places throughout the canyon would be viewed as negative, not positive.

7) Trout Fishery

Increasing the angler catch rate would seem to imply more trout, which might be viewed as not positive some tribes. Similarly with the trout abundance index.

(f) Hualapai Tribe

Jan 06 2012 9:00AM

NATURAL RESOURCES

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page 2

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**Glen Canyon Dam  
Long Term Experimental and Management Plan (LTEMP)  
Cooperating Agency Interest**

Please return this form by January 6, 2012, to indicate your interest in participating as a cooperating agency in the development of a Long-Term Experimental and Management Plan and Environmental Impact Statement for the Glen Canyon Dam.

A cooperating agency agreement will be developed to identify the specific roles and responsibilities of each agency. In general, cooperating agencies provide information in their areas of special expertise, which will assist the Bureau of Reclamation and the National Park Service in making a more informed decision.

XX

Yes, we are interested in participating as a cooperating agency.

No, we are not interested in participating as a cooperating agency.

Agency: Hualapai Tribe  
Contact: Loretta Jackson-Kelly  
Title: THPO/Director of Cultural Resources  
Office: Cultural Resources Department  
Address: P.O. Box 310  
Peach Springs, AZ 86434  
  
Direct Phone: 928-769-2234  
Office Phone: 928-769-2223  
Mobile Phone: 928-380-4429  
Fax: 928-769-2736  
Email: loriac@frontiernet.net

Please return the form by January 6, 2012 to:

Glen Canyon Dam LTEMP EIS Cooperators  
Argonne National Laboratory  
9700 S. Cass Ave. - EVS/240  
Argonne IL 60439

**From:** Peter Bungart [<mailto:pbungart@circaculture.com>]  
**Sent:** Thursday, June 28, 2012 2:11 PM  
**To:** LaGory, Kirk E.  
**Cc:** 'Loretta Jackson-Kelly'  
**Subject:** RE: LTEMP Preliminary Draft Alternatives

Kirk,

Attached are two documents submitted on behalf of the Hualapai Tribe for the LTEMP EIS preliminary draft alternatives: one is a comment letter and the other a Track Changes version of the alternatives document that was sent out for review. We hope you find the comments useful.

Sincerely,  
Peter

Peter Bungart  
Hualapai Dept. of Cultural Resources  
PO Box 310  
Peach Springs AZ 86434  
928.769.2223 (office)  
928.606.8393 (cell)

-



Hualapai Department of Cultural Resources  
P.O. Box 310  
Peach Springs, Arizona 86434  
Office: 928.769.2223 FAX: 928.769.2235

Kirk E. LaGory, Ph.D.  
Environmental Science Division  
Argonne National Laboratory  
9700 S. Cass Ave., Building 240  
Argonne, Illinois 60439

June 27, 2012

In reading the preliminary draft alternatives, it was striking that the various kinds of input resulting from the breakout sessions at the April 2012 LTEMP meeting in Flagstaff were apparently not integrated into this document in any tangible way. It appears the preparers narrowed the focus of the alternatives simply toward managing flows using various protocols that will affect sediment movement and native and non-native fish survival.

We understand that this document outlines preliminary draft alternatives for the LTEMP EIS, but aside from the quote in the *Purpose* section, there is absolutely no acknowledgement of the importance of tribal perspectives or values. This is disheartening, especially considering the past several years of working together, more or less successfully, on the GCDAMP. If the expectation is that tribal concerns will be brought to light later through NEPA consultation, then this approach will surely devolve into an unsatisfactory process. Consider that federal agencies have managed the area undergoing study for a few generations, yet the tribes have called the place home for countless centuries. We urge the preparers to engage the tribes more proactively and more inclusively as soon as possible.

Likewise, there is little reference to the GCPA, or explanations of how each of the preliminary draft alternatives meet its requirements or, conversely, have the potential to adversely affect river corridor resources. It would be helpful if predicted or expected

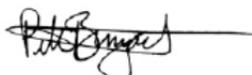
outcomes vis a vis the GCPA were provided in the discussion of alternatives, especially since it is a key component of the EIS.

The various alternatives all seem conceptually very linear, and perhaps overly simplistic in the suggested implementations of proposed actions. There seems to be three main ingredients: flows, fish, and sand. Each alternative seems to be simply variations on a theme, without regard to how their outcome may affect the values of different stakeholders. In addition, although the Colorado River ecosystem and ecological concerns are mentioned in passing, there is little to inform the reader how the various alternatives may actually affect the broader ecosystem, or even most of its components (aside from fish). This seems to be a document mainly concerned with complying with the Endangered Species Act rather than the Grand Canyon Protection Act.

Other comments and suggested language are included in the attached Track Changes version of the Preliminary Draft Alternatives.

If you have any questions, comments, or suggestions please feel free to call Loretta Jackson-Kelly or Peter Bungart at (928) 769-2223. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter Bungart", with a long horizontal line extending to the right.

Peter Bungart, Senior Archaeologist  
Hualapai Department of Cultural Resources



Response to Hualapai Tribe Comments Received on Preliminary Draft Alternatives –

Thank you for your letter dated June 27, 2012 with comments on the LTEMP preliminary alternatives and the process. Your feedback helps us adjust our process and produce a better EIS. Below are our responses to the concerns raised in your letter.

Comment regarding alternatives structured around flows:

As the co-lead agencies worked on developing more detailed alternatives out of the concepts which came out of the April workshop, we did incorporate input received in the breakout sessions and continue to take the results of that workshop into account as we develop the alternatives.

Comment regarding incorporation of tribal perspectives and values in document:

The co-lead agencies place great importance on the input from tribes and we appreciate your feedback. If there are specific ideas on how to be better involved tribes, then we would welcome those specific suggestions. To date we have offered to meet with tribes through the tribal consultation process, and have met with the Hualapai and a number of other tribes. We have also offered additional consultation meetings with the intent of seeking input and feedback from tribes on the draft alternatives, above and beyond the opportunity provided through the cooperating agency relationship. We have also scheduled a meeting with just tribal representatives on August 10th in Phoenix, prior to the cooperating agencies meeting, as another opportunity for face to face dialogue about the LTEMP EIS process and the alternatives. We have also provided draft text for a tribal perspectives section of the EIS, and are continuing to coordinate with tribes on development of that draft, or alternate information from each tribe. As stated in that draft document, our intent is to provide to each interested tribe the opportunity to communicate their values and perspectives in the EIS.

If the Hualapai feel that there are additional steps we can take to enhance your participation in development of the EIS, we urge you to communicate that information to the joint lead project managers.

Concern about Grand Canyon Protection Act (GCPA) and potential effects of the alternatives:

We appreciate the comments regarding Hualapai concerns about the potential effects of the alternatives. At this time we are in the alternatives development phase and it would be premature at this early point in the process to attempt a description of effects or outcomes of the alternatives. The analysis of effects of alternatives to all resources will be undertaken during the process of preparing the draft EIS. At a public forum to be scheduled after the alternatives are developed, there will be presentations to articulate the scientific basis for each flow regime (and non-flow actions) included in the alternatives. As noted above, we would welcome more

discussion with tribes on what input they would like to provide for this public meeting and we hope to discuss that further at the meeting with interested tribes on August 10th.

Concern about the focus on flow, fish, sediment vs. the Grand Canyon Protection Act (GCPA).

Compliance with the GCPA is one of the main reasons that the LTEMP EIS is being prepared. The Secretary of the Interior has noted that revisiting resource conditions, and applying the knowledge we have gained since the ROD was signed in 1996, will help us to better achieve the requirements and goals of the GCPA. Accordingly, the GCPA is referenced within the purpose and need of this process which will inform the range of alternatives and the evaluation of impacts. We have also developed resource goals (based on the DFCs and other relevant documents) to inform this evaluation that consider specific resources as well as tribal values.

Response numbers here correspond to comment numbers in the June 7, 2012 draft alternatives document submitted with the June 27 letter.

1. Tribal Involvement in Alternative Development. Please see the response to the second comment in your letter, above. We have received input on the alternatives from tribes, cooperating agencies and the public at the April 4-5, 2012 meeting and via other communications. In addition to our ongoing Government to Government consultation with interested tribes, the Hualapai and other tribes who are serving as cooperating agencies have many additional opportunities to inform the EIS development process, including our monthly cooperating agency calls and the upcoming cooperating agency meeting on August 10. Prior to the meeting with all cooperators on August 10, we have scheduled a meeting with interested tribes on August 10, 2012 in Phoenix as an additional opportunity for face-to-face participation specifically to focus on tribal values and concerns.
2. Sediment Augmentation - We appreciate your concern about the engineering solution proposed to increase sediment with the goal of trying to improve downstream resources. Infrastructure additions and other alternative elements are still being considered. It is understood that sediment augmentation and other infrastructure proposals would require in-depth analysis and may require separate and additional NEPA.
3. Other Types of Knowledge - The EIS team has also recently offered additional meetings with tribes, and is planning a meeting on August 10 to discuss alternatives and seek feedback from tribes on alternatives. Recognizing the ongoing GCDAMP effort to improve consideration of tribal ecological knowledge, we would like to discuss additional approaches to incorporating tribal knowledge into the EIS process. We have also shared with Hualapai and other interested tribes the first draft of tribal perspectives write-ups for eventual inclusion in the EIS, and we do need feedback on that draft from the tribes as soon as possible.

**(g) Navajo Nation**

February 28, 2011

Bureau of Reclamation  
Environmental Resources Division  
125 South State Street, Room 7218  
Salt Lake City, UT 84138

To Whom It May Concern:

The Historic Preservation Department – Traditional Culture Program (HPD-TCP) is submitting the following comments on behalf of the Navajo Nation. HPD-TCP has provided the following comments for the Glen Canyon Dam Long Term Experimental and Management Plan Preliminary Draft Outline.

The Glen Canyon Dam Adaptive Management Program (AMP) was implemented as a result of the Record of Decision on the Operation of Glen Canyon Dam Final Environmental Impact Statement to comply with consultation requirements of the Grand Canyon Protection Act (Pub. L.102-575) of 1992. The Amp includes a Federal advisory committee, the Adaptive Management Work Group (AMWG), a technical work group (TWG), a Grand Canyon Monitoring and Research Center, and independent review panels. The AMWG makes recommendations to the Secretary of the Interior concerning Glen Canyon Dam operations and other management actions to protect resources downstream of Glen Canyon Dam consistent with the Grand Canyon Protection Act. The TWG is a subcommittee of the AMWG and provides technical advice and recommendations to the AMWG.

Recommendations:

1. The Navajo Nation is in support of the removal of Non-Native fish from the Grand Canyon. The Nation recommends the removal of Non-Native fish be done about a half mile from the confluence of the Little Colorado River and the Colorado River up and down stream.
2. The Navajo Nation supports the lethal removal of Non-Native Fish outside the half a mile buffer from the confluence. The disposal of the Non-Native fish is something the Nation supports. The lethal extermination of the Non-Native fish outside the areas of concern and has no objections with the lethal eradication of the Non-Native fish as long as it is away from the confluence.

Concerns:

1. Operations conducted by the Bureau of Reclamation and National Park Service

negatively effect the sacredness of the Grand Canyon. Local Navajo families refuse to conduct ceremonies near the river due to the Non-Natives consideration of the river as a place of recreation.

2. Navajo communities have no access to the river because of the constant flow of river trips and scientific research. Navajo tribal members hesitate to conduct offerings and ceremonies because of fear their prayers will not be answered.

If the Bureau of Reclamation (BOR) and the National Park Service (NPS) want to consult with the Nation on any of the raised concerns, we would be more than happy to accommodate.

The Navajo Nation appreciates the opportunity to comment on such a complicated issue. If you have any questions or comments, do not hesitate to call Tony Joe at (928) 871-7750.

Sincerely,

Tony H. Joe, Jr.  
Historic Preservation Department

**Glen Canyon Dam  
Long Term Experimental and Management Plan (LTEMP)  
Cooperating Agency Interest**

Please return this form by January 6, 2012, to indicate your interest in participating as a cooperating agency in the development of a Long-Term Experimental and Management Plan and Environmental Impact Statement for the Glen Canyon Dam.

A cooperating agency agreement will be developed to identify the specific roles and responsibilities of each agency. In general, cooperating agencies provide information in their areas of special expertise, which will assist the Bureau of Reclamation and the National Park Service in making a more informed decision.

Yes, we are interested in participating as a cooperating agency.

No, we are not interested in participating as a cooperating agency.

Agency: NAVAJO DEPARTMENT OF WATER RESOURCES

Contact: JOHN LEEPER

Title: BRANCH MANAGER

Office: WATER MANAGEMENT BRANCH

Address: PO BOX 678

FORT DEFIANCO ARIZ 86504

Direct Phone: 928 729 4501

Office Phone: 928 729 4004

Mobile Phone: 928 349 1101

Fax: 928 729 4126

Email: JOHN.LEEPER@NAVAJO-NSN.GOV

Please return the form by January 6, 2012 to:

Glen Canyon Dam LTEMP EIS Cooperators  
Argonne National Laboratory  
9700 S. Cass Ave. – EVS/240  
Argonne IL 60439

**From:** Carr, Adrienne E.  
**Sent:** Tuesday, July 17, 2012 5:52 PM  
**To:** 'Jason John'; 'Alan Downer'  
**Cc:** Abplanalp, Jennifer Marie; Carr, Adrienne E.; Bert Frost; Heffernan, Beverley; Brian Carey; Christine Landrum; Uberuaga, David V.; Denise Shultz; Halliday, John D (John\_Halliday@ios.doi.gov); Jack Schmidt; Balsom, Janet R.; Jane Lyder; Cohen, Janet; John Wessels; Karen Breslin; Turner, Kent; Knowles, Glen; LaGory, Kirk E.; Caramanian, Lori L.; Anderson, Mark; Mark\_Wondzell@nps.gov; Hahn, Martha Gail; Oltrogge, Maureen; Boyles, Michael John; Michael Whiteman-Jones; Billerbeck, Rob P.; Rod Smith; Sucec, Rosemary Jean; Daron, Steve; Melis, Theodore Steven; Brindle, Todd; Dickinson, William  
**Subject:** LTEMP: Responses to Comments on Purpose, Need, and Objectives

Dear Cooperator:

Attached to this email are the responses to your comments on the LTEMP purpose, need, and objectives from the project team.

Very best regards,  
Adrienne

~~~~~  
Adrienne Carr, Ph.D.  
Hydrologist  
Environmental Science Division  
Argonne National Laboratory  
9700 S. Cass Avenue, EVS-240  
Argonne, IL 60439

### Response to Comments by Navajo on Purpose, Need, and Objectives

We thank you for your comments on the purpose, need, and objectives of the Glen Canyon Dam LTEMP. The joint lead EIS team carefully reviewed these comments and concerns. Some changes were incorporated if they substantially helped to clarify purpose, need, and objectives. However, NEPA provides that the purpose and need statements should “briefly specify the underlying purpose and need,” and the level of detail suggested in many comments would contravene the direction that the purpose and need statements be concise.

#### **Purpose**

- Resources of importance to Indian Tribes are not specifically listed in the GCPA; but the EIS team feels it is important to include them based on public comments, AMWG desired future conditions, and agency goals for this project. Consistent with input received, we reworded this sentence to be clearer about the intent of this statement by adding “including those” before “of importance to Indian Tribes.”

#### **Need**

- No comments were received.

#### **Objectives**

- We did not make the suggested change of “Protect the interests and perspectives of the Indian Tribes” from the original “Respect the interests and perspectives of the Indian Tribes” in the fifth objective. The EIS will contain a section on tribal perspectives, which will be developed in consultation with the tribes to ensure interests and perspectives are accurately portrayed. Achieving the objective of respecting tribal interests and perspectives will depend on government-to-government consultation, which will be an important part of the LTEMP EIS process.

**From:** Tony Joe [<mailto:tony@navajohistoricpreservation.org>]

**Sent:** Wednesday, August 28, 2013 2:53 PM

**To:** LaGory, Kirk E.; Sarah Rinkevich

**Subject:** Metrix

Kirk.

Navajo Historic Preservation Department's comments. The official letter with signature will be sent via mail.

Tony

--

Tony H. Joe, Jr.

Supervisory Anthropologist

Traditional Culture Program

928-871-7750



THE  
NAVAJO  
NATION

---

Ben Shelly  
PRESIDENT

Rex Lee Jim  
VICE PRESIDENT

August 28, 2013

Kirk E. LaGory, Ph.D.  
Senior Program Manager  
Ecological Resources and Systems  
Environmental Science Division  
Argonne National Laboratory  
9700 S. Cass Ave., Building 240  
Argonne, Illinois 60439

Dear Mr. LaGory,

The Navajo Historic Preservation Department is in response to the Glen Canyon Dam Long-Term Experimental and Management Plan (LTEMP EIS) Performance Metrix.

The tribes were invited to Flagstaff, AZ on March 14-15, 2013 for their input. At this meeting federal officials labeled the meeting as "Tribal Values". The tribes along with representatives from the National Park Service were in attendance. It was more of a brainstorming about tribal concerns. The tribes gave suggestions and all of the tribe's issues and concerns were written on a flip chart. On March 15, 2013, the tribes developed nine goals we thought would be included in the Performance Metrix, in addition to the agencies goals. I am concerned eight of the tribal values were not considered. The following comments are in reference to concerns we have.

**1. Archaeological and Cultural Resources**

The anticipation for windblown deposits seems to be dependent upon hope. We support the idea of wind deposits covering up cultural resources but I think more evidence needs to be shared with the interested parties. Only a few archaeological sites might benefit and overall there is no specific sites mentioned that will yield positive benefits. The Grand Canyon river corridor exhibits archaeological sites that are not mentioned or considered.

**2. Natural Processes**

The Nation supports native habitat improvement. Native fish and plant species need some attention to recreate the natural beauty of the Grand and Glen Canyon. I suggest more studies and more emphasis on re-establishing native fish and plant species. The eradication of non-Native plants species should be a goal.

**3. Humpback Chub**

Humpback Chub research is supported by the Nation. I would like to see more studies on other native fish population.

**4. Other Native Fish**

More research needs to be conducted on other native fish. The Nation would like to be consulted on studies past and present on these species. A map showing projects that are occurring on other native fish be of recommendation so we can have a better understanding of locations for the 2014 boat trip initiated by Navajo.

**5. Recreation**

The cultural resources will be impacted by the heavy flow of the visitor experience each year. This is an issue for the Nation.

If you have any questions, do not hesitate to contact me at 928-871-7750. Thank you for honoring our request.

Sincerely,

Tony H. Joe, Jr.  
Supervisory Anthropologist  
Traditional Culture Program  
Historic Preservation Department

Cc TCP 13-251 Glen Canyon Long-Term Experimental and Management Plan

**From:** Verhaaren, Bruce T.  
**Sent:** Tuesday, February 11, 2014 11:16 AM  
**To:** tony@navajohistoricpreservation.org; 'Jason John (jasonjohn@navajo-nsn.gov)'  
**Cc:** Knowles, Glen; Billerbeck, Rob P.; Balsom, Janet R.; barger, mary; Sarah\_Rinkevich@fws.gov; LaGory, Kirk E.  
**Subject:** LTEMP MOU

Tony and Jason,

Please find attached a letter from the joint leads of the LTEMP EIS concerning the pending MOU between the Navajo Nation, the Bureau of Reclamation, and the National Park Service regarding the participation of the Navajo Nation as a cooperating agency for the EIS.

I will try to contact you by telephone later in the week regarding the status of the MOU. Please feel free to contact the joint leads or me if you have questions regarding the MOU. I should be back in the office Thursday, February 13.

Best Regards,

Bruce Verhaaren, Ph.D.  
Environmental Science Division  
Argonne National Laboratory  
9700 S. Cass Avenue  
Argonne, IL 60439

Office: 630 252-3240  
Fax: 630 252-4624  
[bverhaaren@anl.gov](mailto:bverhaaren@anl.gov)

United States Department of the Interior



BUREAU OF RECLAMATION  
Upper Colorado Regional Office  
125 South State Street  
Salt Lake City, UT 84138



NATIONAL PARK SERVICE  
Intermountain Region Office  
12795 Alameda Parkway  
Denver, CO 80225

Jason John  
Navajo Department of Water Resources  
P.O. Box 678  
Fort Defiance, AZ 86504

Tony Joe  
Historic Preservation Department  
P.O. Box 4950  
Window Rock, AZ 86515

Dear Mr. John and Mr. Joe,

We are writing regarding the pending Memorandum of Understanding (MOU) between the Bureau of Reclamation (Reclamation) and the National Park Service (NPS) and the Navajo Nation for the Environmental Impact Statement (EIS) for Adoption of a Long Term Experimental and Management Plan (LTEMP) for the Operation of Glen Canyon Dam.

Reclamation and NPS first extended an invitation to the Navajo Nation to become a cooperating agency for the LTEMP EIS in a letter dated December 8, 2011. In January 2012, John Leeper of the Navajo Department of Water Resources returned the invitation form indicating an interest in the Navajo Nation becoming a cooperating agency. A draft MOU outlining the roles and responsibilities of Reclamation, NPS, and the cooperating agencies was emailed to representatives of the Navajo Nation on March 6, 2012. Suggested revisions were provided by Alan Downer of the Navajo Nation Historic Preservation Department on March 22, 2012. A revised MOU was sent to Dr. Downer and to Jason John of the Department of Water Resources on April 11, 2012 with a request that it be signed and returned.

We are aware that Navajo procedures require an MOU to be reviewed and approved by legislative committees and ultimately by the legislature as a whole before it can be signed and returned. It is our understanding that the committees involved have requested an additional work session to determine whether being a cooperating agency would impact current negotiations regarding Navajo water rights.

Sections of the EIS are currently being drafted. Signing and returning the MOU will facilitate the Navajo Nation's role as a cooperating agency in reviewing drafted sections. We request that the MOU be signed by February 21, 2012. If the Navajo Nation chooses not to act as a cooperating agency please notify the LTEMP EIS team in writing. If Navajo Nation chooses not to act as a cooperating agency, we will still conduct government to government consultation with the Navajo Nation.

To return the signed MOU you may scan it in and return via email, send by fax, or send via postal mail. The fax number is 630-252-6090, and the mailing address is as follows:

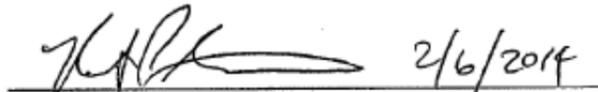
Kirk LaGory  
Argonne National Laboratory  
9700 S. Cass Avenue, EVS-240  
Argonne, IL 60439

Please feel free to contact us if you need any additional information regarding the LTEMP EIS and MOU. We look forward to hearing from you.

Sincerely,



Glen Knowles  
Chief, Adaptive Management Group  
Environmental Resources Division  
Upper Colorado Region  
Bureau of Reclamation



Rob Billerbeck  
Colorado River Coordinator  
Resource Stewardship and Science  
Intermountain Region  
National Park Service

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>Complete Items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A. Signature X <i>Delores Mestrez</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
	B. Received by (Printed Name) <i>Delores Mestrez</i>	C. Date of Delivery <i>2/20/14</i>
1. Article Addressed to: <i>Jason John</i> <i>Navajo Dept. of Water Resources</i> <i>PO Box 678</i> <i>Fort Defiance, AZ 86504</i>	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
	3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Number (Transfer from service) <i>7012 2210 0000 2767 9770</i>		
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540		

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>Complete Items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A. Signature X <i>Laurinda Mack</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
	B. Received by (Printed Name) <i>Laurinda Mack</i>	C. Date of Delivery <i>2/19/14</i>
1. Article Addressed to: <i>Tony Joe</i> <i>Historic Preservation Dept.</i> <i>PO Box 4950</i> <i>Window Rock, AZ</i> <i>86515</i>	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
	3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Number (Transfer from service) <i>7012 2210 0000 2767 9794</i>		
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540		

-----Original Message-----

From: Jason John [mailto:jasonjohn@navajo-nsn.gov]

Sent: Friday, February 21, 2014 12:51 PM

To: Verhaaren, Bruce T.; tony@navajohistoricpreservation.org

Cc: Abplanalp, Jennifer M.; Knowles, Glen; Billerbeck, Rob P.; LaGory, Kirk E.; Balsom, Janet R.; barger, mary; Sarah\_Rinkevich@fws.gov

Subject: RE: LTEMP letter Date correction

Glen, Rob and Bruce,

I was at the meeting this morning with some of the Council Delegates. I can assist in the communication.

They would like a government to government meeting with NPS and BOR in Flagstaff on either March 28 at 1pm or March 4 (after 10am) or March 6 (after 10am). Their preference is in that order. The President of Navajo Nation should be signing that letter today requesting the meeting. When signed it will be emailed. I hope one of those dates work.

Jason

Jason John

Water Management Branch

THE NAVAJO NATION



BEN SHELLY PRESIDENT  
REX LEE JIM VICE PRESIDENT

February 21, 2014

Glen Knowles  
Chief, Adaptive Management Group  
Environmental Resources Division  
Upper Colorado Region  
Bureau of Reclamation  
125 South State Street  
Salt Lake City, UT 84138

Rob Billerback  
Colorado River Coordinator  
Resource Stewardship and Science  
Intermountain Region  
National Park Service  
12795 Alameda Parkway  
Denver, CO 80225

The Nation is in receipt of your letter dated February 6, 2014, requesting that the Nation choose whether or not to be a cooperating agency in the development of the Environmental Impact Statement for Adoption of a Long Term Experimental and Management Plan (LTEMP) for the Operation of Glen Canyon Dam.

As you are aware, in order to be a cooperating agency, the Nation requires approval by the Naabik'iyati Committee of the Navajo Nation Council of the proposed Memorandum of Understanding with the Bureau of Reclamation and the National Park Service. When the Naabik'iyati Committee considered approving the legislation for the MOU, the legislation was tabled by Delegate Walter Phelps in order to better understand the purpose of the LTEMP for the Operation of Glen Canyon Dam and its impact to interests of the Navajo Nation.

Accordingly, we are requesting a government to government consultation meeting with the Bureau of Reclamation and the National Park Service to discuss the purpose of the LTEMP for Operation of Glen Canyon Dam and whether or not the Nation could serve in a joint lead agency role.

The Nation therefore requests a government-to-government consultation. The following are suggested dates in order of preference: February 28 at 1:00 pm, March 4, or March 6, 2014 in Flagstaff at the National Park Service agency office or other available facility.

Sincerely,

A handwritten signature in black ink that reads "Ben Shelly".

Ben Shelly, President  
THE NAVAJO NATION

**From:** Billerbeck, Rob [[mailto:rob\\_p\\_billerbeck@nps.gov](mailto:rob_p_billerbeck@nps.gov)]

**Sent:** Friday, February 28, 2014 2:45 PM

**To:** Knowles, Glen

**Cc:** Rinkevich, Sarah; Russell, Kendra L.; LaGory, Kirk E.; barger, mary; Verhaaren, Bruce T.

**Subject:** Re: Request for Government to Government LTEMP Consultation

I talked to Jason John on the phone today. Mostly it sounds like a misunderstanding between levels. Jason just tried to convey the need to sign the MOU to be a cooperating agency. He mentioned that we would do govt to govt down the road, but it sounds like some others were unclear on the scope of the projects and the roles. They are not requesting that Larry W and Dave U or others come to this meeting, they are just looking to have Glen and I come out and explain the process again and Jason believes that if roles and scope are explained that they will likely want to sign the cooperating agency MOU and will likely want to wait until the summer for the formal govt to govt.

I told Jason that meeting next week looked pretty difficult and he recommended an email back with dates further out. I think before we send an email back I'll try to connect with Tony Joe on the phone as well.

If we do need a meeting, we could see if that same week of the 17 works I guess.

From: Billerbeck, Rob [mailto:rob\_p\_billerbeck@nps.gov]

Sent: Monday, March 17, 2014 3:40 PM

To: Jason John

Cc: Verhaaren, Bruce T.; Knowles, Glen; Abplanalp, Jennifer M.; LaGory, Kirk E.; Balsom, Janet R.; barger, mary; Sarah\_Rinkevich@fws.gov; Walter Phelps; Ray Benally; Assistant Attorney General Bidtah Becker; tony@navajohistoricpreservation.org; Michele Morris

Subject: Re: Request for Government to Government LTEMP Consultation

This email is in reply to the email sent on Feb 21, 2014 and attached letter from the Navajo Nation requesting to meet with the project managers of the Glen Canyon Dam Long Term Experimental and Management Plan (LTEMP) Environmental Impact Statement (EIS). We are sorry we could not meet the dates proposed for a meeting due to prior scheduling conflict, and we are happy to come out in the next few weeks to meet with representatives of the Navajo Nation and council. Based upon travel schedules and availability, we offer the following potential dates for a meeting in Window Rock:

April 2,3,10, or 14

We would have the project managers from the two lead agencies, NPS and BOR, come to discuss the LTEMP scope, issue, stakeholder roles and timelines, and answer questions regarding the LTEMP or participation from the Navajo Nation. Please let us know if any of these dates are convenient and if we are correctly understanding what you would like us to cover in the meeting. We are also available for a phone call in advance if that would help answer any specific questions.

Based on discussions with staff, here is some additional information about the LTEMP project in advance of a meeting that might be helpful:

#### LTEMP Scope and Issues

Federal laws and regulations require the federal government to evaluate the effects of its actions on the environment and to consider alternative courses of action. National Environmental Policy Act (NEPA) regulations require, among other things, federal agencies to include discussion of proposed actions and a range of reasonable alternatives in an EIS.

Generally, the scope of the LTEMP EIS project involves consideration of actions that could change flows from Glen Canyon Dam as well as a set of non-flow actions to address resource concerns. All alternatives will still comply with the 2007 Interim Guidelines for the annual delivery volumes. All of the action alternatives include High Flow Experiments with maximum flows of 45,000 cfs, but with some variation among how frequent or when these high flows would be employed. There is variation among the alternatives with approaches to fish management as some alternatives will have mechanical removal, some will have trout management flows and mechanical removal and one alternative utilizes neither fish management tool.

With this general scope in mind, we have heard the following might be of interest to the Navajo Nation:

- Potential impacts (positive or negative) to cultural sites
- Potential impacts (positive or negative) to natural resources such as sandbars/beaches, vegetation, wildlife habitat, fish and other aquatic resources
- Potential impacts (positive or negative) to hydropower production/effect on ratepayers
- Potential impacts (positive or negative) to the Glen Canyon fishery
- Potential impacts (positive or negative) to river recreation

There are also several issues that we have heard that are interest to the Navajo Nation that are outside the scope of this project:

- Boundary demarcation
- Water rights
- Operational concerns at Antelope Point

#### LTEMP Roles

- **Lead Agencies** - the two lead agencies for this project are the Bureau of Reclamation and the National Park Service. The responsibility for this project was delegated to these two agencies because Reclamation is responsible for the operation of Glen Canyon Dam and NPS has land management responsibility at Glen Canyon National Recreation Area and Grand Canyon National Park.. Joint lead responsibilities generally include consulting with the affected Tribes, identifying the purpose and need for the project, defining the scope of analysis, and managing the contracts for preparation of the EIS and responding to comments from cooperating agencies and the public, etc.

- **Cooperating Agencies** - Generally, cooperating agencies participate in the EIS by attending cooperating agency meetings, commenting on EIS materials and internal cooperating agency drafts, and assisting with the development of parts of the EIS if needed. This is a role with more interaction and opportunity to comment than a member of the public or a non-governmental entity.

- The following are the entities are cooperating agencies because they are state, local or tribal governments with appropriate expertise or jurisdiction for this project and that have signed an MOU confirming their role as a cooperating agency:

- o Arizona Game and Fish Department
- o Bureau of Indian Affairs
- o Colorado River Commission of Nevada
- o The Havasupai Tribe
- o The Hopi Tribe
- o The Hualapai Tribe
- o Kaibab Band of Paiute Indians
- o The Pueblo of Zuni
- o Salt River Project
- o U.S. Fish and Wildlife Service
- o Upper Colorado River Commission
- o Utah Associated Municipal Power Systems
- o Western Area Power Administration

- Thus far we have understood that the Navajo Nation wanted to be considered a cooperating agency so we have been inviting the Navajo Nation to meetings of cooperating agencies and providing information that is distributed to cooperating agencies.

#### Project Timeline

##### Past activities:

- July 2011 -Project started with a notice of intent in the Federal Register
- November 2012 - Public scoping meetings
- April 2012 - Public meeting presented preliminary draft alternative concepts
- June 2012 - Tribes provided comments on Tribal Consultation Plan and Tribes/cooperating agencies provided comments on preliminary alternatives

- August 2012 - in person meeting with Tribes/cooperating agencies to discuss and solicit comments on draft alternatives and goals and objectives
- February 2013 - development of models and metrics with experts, and meetings with Tribes and stakeholders regarding involvement in the process and modeling metrics
- March 2013 - meeting with Tribes regarding written contribution process to the EIS and modeling metrics.
- April-July 2013 - additional meetings with Tribes regarding modeling metrics
- August 2013 - Held meetings with Tribes and AMWG stakeholders, presented preliminary modeling and solicited structured decision making input
- November 2013 - Meeting with Tribal representatives to further develop modeling metrics useful for Tribes and discussed text that some Tribes wanted to contribute to the EIS.
- February 2014 - Revised alternatives and modeling metrics presented to Tribes and stakeholders at the AMWG meeting

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Planned activities:

- March 2014 - Meetings with stakeholders and Tribes. On March 18 there will be a web session to explain structure decision input methods and a meeting March 31-April 1 in Phoenix to present modeling results
- April 2014 - We are seeking structured decision information back from stakeholders and Tribes
- May-June 2014 - We will prepare preliminary EIS draft
- June 2014 - We plan to distribute preliminary draft EIS to cooperating agencies for comment
- July-Sept 2014- planning Government to Government meetings with most Tribes because at that point we can discuss a draft and a potentially preferred alternative
- Sept/Oct 2014 - We plan to publish a draft EIS for public comment
- 2015 - We plan to publish a final EIS

We hope this information helps with understanding the LTEMP EIS project, where we are in the process and helps the Navajo Nation understand potential participation in this project.

On Jun 2, 2014, at 2:26 PM, "Billerbeck, Rob"

<[rob\\_p\\_billerbeck@nps.gov](mailto:rob_p_billerbeck@nps.gov)<mailto:[rob\\_p\\_billerbeck@nps.gov](mailto:rob_p_billerbeck@nps.gov)>> wrote:

Council Delegate Phelps,

We wanted to send you a follow-up note to our meeting in Flagstaff in April regarding the Long Term Experimental and Management Plan (LTEMP) EIS for the Glen Canyon Dam. We thank you again for meeting with us and hope our information on the project was helpful. We wanted to see if there was any follow-up that you foresee in terms of the cooperating agency status of the Navajo Nation on this project. We can make ourselves available if you would like us to come out and meet with the council.

In terms of schedule, we plan to distribute a first preliminary draft EIS to cooperating agencies in July, a second cooperating agency draft in late Aug-Sept, and a public draft EIS in October.

Thank you,

Rob Billerbeck, NPS and Glen Knowles, Reclamation

--

Rob Billerbeck

Colorado River Coordinator

Resource Stewardship and Science

Intermountain Region

National Park Service

Alameda Office: 303-987-6789

Email: [Rob\\_P\\_Billerbeck@nps.gov](mailto:Rob_P_Billerbeck@nps.gov)<mailto:[Rob\\_P\\_Billerbeck@nps.gov](mailto:Rob_P_Billerbeck@nps.gov)>

On Tue, Jun 3, 2014 at 3:44 PM, Walter Phelps <[walterphelps@navajo-nps.gov](mailto:walterphelps@navajo-nps.gov)<mailto:[walterphelps@navajo-nps.gov](mailto:walterphelps@navajo-nps.gov)>> wrote:

Dear Mr Billerbeck, thank you for your follow up. The Council's Nabikiyati committee approved the resolution last month. I will send you a copy of the signed resolution upon receipt. Thank you for keeping in contact with Mrs. Becker and i on further developments.

Walter Phelps

Sent from my iPhone

(h) Paiute Indian Tribe of Utah

4

Glen Canyon Dam  
Long-Term Experimental and Management Plan (LTEMP)  
Cooperating Agency Interest

Please return this form by January 6, 2012, to indicate your interest in participating as a cooperating agency in the development of a Long-Term Experimental and Management Plan and Environmental Impact Statement for the Glen Canyon Dam.

A cooperating agency agreement will be developed to identify the specific roles and responsibilities of each agency. In general, cooperating agencies provide information in their areas of special expertise, which will assist the Bureau of Reclamation and the National Park Service in making a more informed decision.

Yes, we are interested in participating as a cooperating agency.

No, we are not interested in participating as a cooperating agency. We would like to be kept updated on the project. *D.M.*

Agency: Paiute Indian Tribe of Utah  
Contact: Deanna Martineau  
Title: Cultural Resource  
Office: PITU  
Address: 440 North Paiute Drive  
L Cedar City, Utah  
84421  
Direct Phone: 435-586-1112  
Office Phone: " ext. 107  
Mobile Phone: \_\_\_\_\_  
Fax: 435-586-7388  
Email: deanna.martineau@ibs.gov

Please return the form by January 6, 2012 to:

Glen Canyon Dam LTEMP EIS Cooperators  
Argonne National Laboratory  
9700 S. Cass Ave. - EVS/240  
Argonne IL 60439

(i) Pueblo of Zuni

ORIGINAL



Arlen Quetawki, SR.  
Governor

Steve K. Boone  
Lt. Governor

Vacant  
Head Councilman

Vacant  
Councilman

PUEBLO OF ZUNI

P. O. Box 339  
Zuni, New Mexico 87327  
1203-B NM State Hwy 53  
Phone: (505) 782-7022  
Fax: (505) 782-7202  
[www.ashiwi.org](http://www.ashiwi.org)

505-782-7000 MAIN

Loren L. Leekela, SR  
Councilman

Gerald Hooce, SR.  
Councilman

Mark Martinez  
Councilman

Birdena Sanchez  
Councilwoman

13 December 2011

Mr. Larry Walkoviak, Regional Director  
Upper Colorado Region  
Bureau of Reclamation  
125 South State Street  
Salt Lake City, UT 84138

Mr. John Wessels, Regional Director  
Intermountain Region Office  
National Park Service  
12795 Alameda Parkway  
Denver, CO 80225

DEC 22 2011

CERTIFIED

Postage	ENY-6.00
Priority	Col
Tracking #	003969101
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RE: Cooperating Agency Status for Pueblo of Zuni for the Development of an Environmental Impact Statement for a Long-Term Experimental and Management Plan (LTEMP) for Glen Canyon Dam operations. *OR/100*

Dear Mr. Walkoviak and Mr. Wessels,

The Pueblo of Zuni has received your letter, dated 08 December 2011, inviting the Pueblo of Zuni to be a cooperating agency in the Long-Term Experimental and Management Plan (LTEMP) Environmental Impact Statement process. As you are aware the Grand Canyon, Colorado River, Little Colorado River, and all the physical, biological, and cultural resources located there are of extreme historical, cultural, and religious significance to the Zuni people. The appropriate care and management of this very sacred place and all the resources that comprise this important Zuni traditional cultural property is an on-going issue for the Zuni people; therefore, the Pueblo of Zuni accepts your invitation to become a cooperating agency in the development of this Environmental Impact Statement (EIS) for the LTEMP.

As Governor of Zuni, I designate Kurt Dongoske, RPA, Tribal Historic Preservation Officer of the Zuni Heritage and Historic Preservation Office as the primary Zuni representative as a cooperating agency in this process. Mr. Dongoske's contact information is provided in the attached form. Should you have any questions or require additional information please contact my office at 505.782.7000 or the Zuni Heritage and Historic Preservation Office at 505.782.2393. Thank you for consulting with the Pueblo of Zuni.

Sincerely,

*Steve K. Boone*  
Governor Arlen Quetawki, Sr.  
Pueblo of Zuni

NOTICE IF YOU DETACH  
ENCLOSURES PLEASE INSERT  
CODE NO. \_\_\_\_\_

**Glen Canyon Dam  
Long Term Experimental and Management Plan (LTEMP)  
Cooperating Agency Interest**

Please return this form by January 6, 2012, to indicate your interest in participating as a cooperating agency in the development of a Long-Term Experimental and Management Plan and Environmental Impact Statement for the Glen Canyon Dam.

A cooperating agency agreement will be developed to identify the specific roles and responsibilities of each agency. In general, cooperating agencies provide information in their areas of special expertise, which will assist the Bureau of Reclamation and the National Park Service in making a more informed decision.

Yes, we are interested in participating as a cooperating agency.

No, we are not interested in participating as a cooperating agency.

Agency: Pueblo of Zuni

Contact: KURT DOWGOSKE

Title: Tribe Historic Preservation Officer

Office: Zuni Heritage and Historic Preservation Office

Address: P.O. Box 1149

Zuni, New Mexico 87327

Direct Phone: \_\_\_\_\_

Office Phone: 505.782.4814

Mobile Phone: 928.587.1901

Fax: 505.782.2393

Email: Kdowgoske@cableone.net

Please return the form by January 6, 2012 to:

Glen Canyon Dam LTEMP EIS Cooperators  
Argonne National Laboratory  
9700 S. Cass Ave. – EVS/240  
Argonne IL 60439

**(j) White Mountain Apache Tribe**

**From:** Cheryl Pailzote [cpailzote@wmat.us]  
**Sent:** Tuesday, May 15, 2012 2:42 PM  
**To:** Barger, Mary E  
**Cc:** [markaltaha@wmat.us](mailto:markaltaha@wmat.us); [rlupe@wmat.us](mailto:rlupe@wmat.us)  
**Subject:** RE: Call today about the EIS for Glen Canyon Dam flows/ tribal consultation

Hello Mary,

I had talked to our advisors about the EIS for the Glen Canyon Dam flows. From a water resources/water rights position, we do not feel that the Glen Canyon EIS alternatives will have any impact on White Mountain Apache Tribe. Mark Altaha had stated that there are impact on cultural resources. Thus, I have will recommend to Chairman Lupe that we do not need to be cooperators on this EIS. Would you need a letter from the Chairman stating such?

Thank you,

Cheryl Pailzote  
Water Resources Director  
WMAT

(k) Yavapai-Apache Nation

YAVAPAI-APACHE NATION  
CAMP VERDE, ARIZONA

Glen Canyon Dam  
Long Term Experimental and Management Plan (LTEMP)  
Cooperating Agency Interest

4

Please return this form by January 6, 2012, to indicate your interest in participating as a cooperating agency in the development of a Long-Term Experimental and Management Plan and Environmental Impact Statement for the Glen Canyon Dam.

A cooperating agency agreement will be developed to identify the specific roles and responsibilities of each agency. In general, cooperating agencies provide information in their areas of special expertise, which will assist the Bureau of Reclamation and the National Park Service in making a more informed decision.

XXXXX Yes, we are interested in participating as a cooperating agency.

No, we are not interested in participating as a cooperating agency.

Agency: Yavapai-Apache Nation

Contact: Christopher Coder

Title: Tribal Archaeologist YAN

Office: Cultural Preservation

Address: 2400 West Datsi

Camp Verde, AZ 86322

Direct Phone: (928) 567-7026

Office Phone: 525-3035

Mobile Phone: NA

Fax: (928) 567-3994

Email: ccoder@yan-tribe.org

Please return the form by January 6, 2012 to:

Glen Canyon Dam LTEMP EIS Cooperators  
Argonne National Laboratory  
9700 S. Cass Ave. - EVS/240  
Argonne IL 60439

**From:** Verhaaren, Bruce T.  
**Sent:** Wednesday, October 10, 2012 11:03 AM  
**To:** [ccoder@yan-tribe.org](mailto:ccoder@yan-tribe.org)  
**Cc:** Carr, Adrienne E.  
**Subject:** LTEMP Cooperator?

Hello Chris,

I hope your trip went well.

Have you been able to confirm that the Yavapai-Apache Nation no longer is interested in being a cooperating agency for the LTEMP EIS?

Best Regards

Bruce

**From:** Chris Coder [<mailto:ccoder@yan-tribe.org>]  
**Sent:** Wednesday, October 10, 2012 12:36 PM  
**To:** Verhaaren, Bruce T.  
**Cc:** Carr, Adrienne E.; Anthony Canty  
**Subject:** RE: LTEMP Cooperator?

Hi Bruce/Adrienne,

Thanks for the prompt. Our internal water team meets next Monday and as I cannot make this decision unilaterally, I will get a consensus from the team and get back to you by the middle of next week with an informed opinion from the group.

Thanks Chris

(928) 567-7026

---

**From:** Verhaaren, Bruce T. [<mailto:brucev@anl.gov>]  
**Sent:** Wednesday, October 10, 2012 9:03 AM  
**To:** Chris Coder  
**Cc:** Carr, Adrienne E.  
**Subject:** LTEMP Cooperator?

Hello Chris,

I hope your trip went well.

Have you been able to confirm that the Yavapai-Apache Nation no longer is interested in being a cooperating agency for the LTEMP EIS?

Best Regards

Bruce

+++++

Bruce Verhaaren, Ph.D.  
Environmental Science Division  
Argonne National Laboratory  
9700 S. Cass Avenue  
Argonne, IL 60439

Office: 630 252-3240  
Fax: 630 252-4624  
[bverhaaren@anl.gov](mailto:bverhaaren@anl.gov)

From: Verhaaren, Bruce T.

Sent: Tuesday, October 23, 2012 1:55 PM

To: ccoder@yan-tribe.org

Cc: Balsom, Janet R.; barger, mary; Carr, Adrienne E.

Subject: Cooperating status

Hello Chris,

Have you had time to verify whether Yavapai-Apache Nation no longer wish to act as a cooperating agency for the LTEMP EIS for Glen Canyon Dam? It is my understanding that they do not. Please confirm.

Thanks for checking on this.

Bruce

+++++

Bruce Verhaaren, Ph.D.

Environmental Science Division

Argonne National Laboratory

9700 S. Cass Avenue

Argonne, IL 60439

Office: 630 252-3240

Fax: 630 252-4624

bverhaaren@anl.gov

**From:** Chris Coder [<mailto:ccoder@yan-tribe.org>]

**Sent:** Wednesday, October 24, 2012 3:22 PM

**To:** Verhaaren, Bruce T.

**Subject:** RE: Cooperating status

Hi Bruce,

I have run this by our legal counsel and they have advised we do not need to be a cooperating agency, but would like to remain in the loop to the extent we can get (electronically) the draft NEPA document.

Thanks for your patience,

Chris Coder

**ATTACHMENT N.3**



## United States Department of the Interior

BUREAU OF RECLAMATION  
Upper Colorado Regional Office  
125 South State Street, Room 6107  
Salt Lake City, UT 84138-1102

IN REPLY REFER TO:

UC-725  
ENV-3.00

**JUN 12 2014**

Mr. James Garrison  
Arizona State Historic Preservation Office  
Arizona State Parks  
1300 West Washington Street  
Phoenix, AZ 85007

Subject: Initiation of the National Historic Preservation Act of 1966 (NHPA) Section 106  
Compliance for Operation of Glen Canyon Dam (GCD)

Dear Mr. Garrison:

The Bureau of Reclamation, Upper Colorado Region, and National Park Service (NPS), Intermountain Region are proposing to complete an Environmental Impact Statement (EIS) for GCD operations. This EIS will address a change in dam operation for approximately the next 20 years and is called the Long Term Experimental and Management Plan (LTEMP).

We recently completed developing six alternatives for this EIS, and as a result, have a better understanding of any potential to affect historic properties. Of the six alternatives, the highest flow proposed is 45,000 cubic feet per second, the same as was identified in the Memorandum of Agreement for the GCD High Flow Experimental Protocol.

Since the LTEMP effort has started, we have briefed stakeholders and the signatories for the Operation of GCD 1994 Programmatic Agreement (PA) on our intent to complete a new PA. We also had a meeting on January 9, 2013, with both our Federal Preservation Officers (FPOs), the Advisory Council on Historic Preservation (ACHP), and Reclamation and the NPS management to discuss a potential Section 106 process. We sent a joint letter from the NPS and Reclamation to the ACHP on February 27, 2013, that discussed the results of that meeting and your office was copied, along with the PA signatories.

Currently, we have a draft Area of Potential Effects (APE) identified for the LTEMP undertaking as follows:

Longitudinally, the Area of Potential Effect (APE) for the LTEMP undertaking associated with GCD operations includes the active channel of the Colorado River in Glen, Marble, and Grand Canyons from Glen Canyon Dam to the western boundary of Grand Canyon National Park near Pearce Ferry. Laterally, the APE extends from the Colorado River both horizontally and vertically to varying extent based on the specific

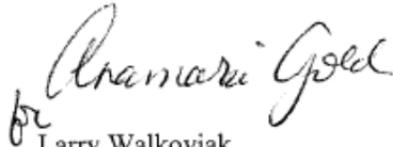
Initiation of the NHPA Section 106 Compliance for Operation of GCD

operational, topographic, and natural processes at each location. The variable upslope extent of the APE is primarily dependent on the distribution of sandbars and the potential for fine sediment redistribution by canyon winds under the prevailing flow regimes of the Colorado River as described in the LTEMP EIS. The APE includes areas affected by the flow of the Colorado River and active aeolian processes.

Pursuant to Section 106 of the NHPA, as the Federal lead agency for this undertaking, Reclamation would like to consult with you on developing the PA for this new undertaking. Please note that we are currently in the process of identifying our consulting parties per 36 CFR 800.3, and coordinating with the NPS on the first draft PA for review by consulting parties. We will be convening a meeting of these consulting parties, including your office, in the near future.

If you have any questions, please contact Mary Barger at 602-615-0809.

Sincerely,



Larry Walkoviak  
Regional Director

cc: Ms. Jan Balsom  
Grand Canyon National Park  
P.O. Box 129  
Grand Canyon, AZ 86023

Mr. Todd Brindle  
Superintendent  
Glen Canyon National Recreation Area  
Rainbow Bridge National Monument  
P.O. Box 1507  
Page, AZ 86040

Mr. Charley Bullets  
Director  
Southern Paiute Consortium  
Tribal Affairs Building  
HC65 Box 2  
Fredonia, AZ 86022

Honorable Sherry J. Counts  
Chairwoman  
Hualapai Tribe  
P.O. Box 179  
941 Hualapai Way  
Peach Springs, AZ 86434

Mr. Kurt Dongoske  
Tribal Historic Preservation Office  
Zuni Cultural Resource Enterprise  
Pueblo of Zuni  
P.O. Box 339  
Zuni, NM 87327

Honorable Herman G. Honanie  
Chairman  
The Hopi Tribe  
P.O. Box 123  
Kykotsmovi, AZ 86039

Initiation of the NHPA Section 106 Compliance for Operation of GCD

Honorable Gerald Hooey  
Councilman  
Pueblo of Zuni  
P.O. Box 339  
Zuni, NM 87327

Ms. Ann Howard, Deputy  
Arizona State Historic Preservation Office  
Arizona State Parks  
1300 West Washington  
Phoenix, AZ 85007

Ms. Loretta Jackson-Kelly  
Tribal Historic Preservation Officer  
Hualapai Tribe  
P.O. Box 310  
Peach Springs, AZ 86434

Ms. Leslie James, Executive Director  
Colorado River Energy  
Distributors Association  
10429 S 51st Street, Suite 230  
Phoenix, AZ 85044

Ms. Lyn Jeka, Manager  
Colorado River Storage Project  
Western Area Power Administration  
150 East Social Hall Avenue, Suite 300  
Salt Lake City, UT 84111

Mr. Leigh J. Kuwanwisiwma  
Director  
Hopi Cultural Preservation Office  
The Hopi Tribe  
P.O. Box 123  
Kykotsmovi, AZ 86030

Mr. Charles Louis  
Bureau of Indian Affairs  
Phoenix Area Office  
2600 North Central, Fourth Floor  
Phoenix, AZ 85004-3050

Mr. Tom McCullough  
Advisory Council on Historic Preservation  
401 F Street Northwest, Suite 308  
Washington, DC 20001-2637

Ms. Lisa Meyer, Archaeologist  
Western Area Power Administration  
P.O. Box 281213  
Lakewood, CO 80228-8213

Acting Tribal Historic Preservation Officer  
Navajo Nation  
P.O. Box 4950  
Window Rock, AZ 86515

Mr. Reid Nelson  
Advisory Council on Historic Preservation  
401 F Street NW, Suite 308  
Washington, DC 20001-2637

Mr. Theodore Quasula  
Acting Field Manager  
Bureau of Indian Affairs  
Phoenix Area Office  
2600 North Central, Fourth Floor  
Phoenix, AZ 85004-3050

Honorable Arlen Quetawki, Senior  
Governor  
Pueblo of Zuni  
P.O. Box 339  
Zuni, NM 87327

Mr. Manual Savala  
Kaibab Band of Paiute Indians  
Tribal Administration Building  
#1 Pipe Spring Road  
Fredonia, AZ 86022

Initiation of the NHPA Section 106 Compliance for Operation of GCD

Honorable Ben Shelly  
President  
Navajo Nation  
P.O. Box 7440  
Window Rock, AZ 86515

Ms. Rosemary Sucec  
Glen Canyon National Recreation Area  
P.O. Box 1507  
Page, AZ 86040

Dr. Benjamin N. Tuggle  
Southwest Regional Director  
U.S. Fish and Wildlife Service  
P.O. Box 1306  
Albuquerque, NM 87103-1306

Mr. Dave Uberuaga  
Superintendent  
Grand Canyon National Park  
P.O. Box 129  
Grand Canyon, AZ 86023

Mr. Mike Yeatts  
Hopi Cultural Preservation Office  
The Hopi Tribe  
P.O. Box 123  
Kykotsmovi, AZ 86030

Mr. Kirk Young  
U.S. Fish and Wildlife Service  
323 North Leroux  
Flagstaff, AZ 86001



IN REPLY REFER TO:  
UC-725  
ENV-3.00

~~2014-0628~~ 2014-0628(120202)  
United States Department of the Interior

BUREAU OF RECLAMATION  
Upper Colorado Regional Office  
125 South State Street, Room 6107  
Salt Lake City, UT 84138-1102

JUN 12 2014



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Arizona State Historic Preservation Office  
Arizona State Parks  
1300 West Washington Street  
Phoenix, AZ 85007

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Initiation of the NHPA Section 106 Compliance for Operation of GCD

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7/18/14

If you have any questions, please contact Mary Barger at 602-615-0809.

Thank you for this information  
We look forward to working with you  
on the PA.

Mary-Ellen Waboh  
Archaeological Compliance Specialist

Sincerely,

*Alan Marie Gold*  
for  
Larry Walkoviak  
Regional Director

cc: Ms. Jan Balsom  
Grand Canyon National Park  
P.O. Box 129  
Grand Canyon, AZ 86023

Mr. Todd Brindle  
Superintendent  
Glen Canyon National Recreation Area  
Rainbow Bridge National Monument  
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