



Confederated Tribes and Bands of the Yakama Nation
Established by the Treaty of June 9, 1855

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HABITAT PROGRAM

Bob Zeigler
SEPA/NEPA Coordinator
WDFW regulatory Services Section
600 Capitol Way North
Olympia, Washington 98501-1091

July 31, 2012

RE: Whiskey Dick Road Improvement

Dear Mr. Zeigler,

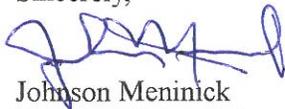
Thank you for contacting the Yakama Nation regarding the *Whiskey Dick Road Improvement Project*. This project is located within the Ceded Lands of the Yakama Nation, the legal rights to which were established by the Treaty of 1855, between the Yakama Nation and the United States Government. The Treaty set forth that Yakama Nation shall retain the rights to resources upon these lands and, therefore, it is with the assistance and backing of the United States Federal Government that Yakama Nation claims authority to protect traditional resources.

The Yakama Nation Cultural Resources Program (CRP) has reviewed the *Whiskey Dick Road Improvement Project* SEPA checklist and accompanying Determination of Nonsignificance (DNS). We have identified several concerns and request additional information regarding the following:

- Question 13 of the SEPA checklist identifies “culturally important sites throughout the project area.” We request detailed information regarding cultural sites that might be impacted by the proposed road construction, including survey reports, archaeological sites numbers, detailed construction plans, and the degree to which cultural sites will be impacted.
- The DNS states that the project “includes protection of a documented cultural site. The proposal is to cover the site with geotextile and rock over the fabric. This action is described in the archeological report and was supported by an archaeologist from the Yakama tribe.” Please provide Yakama Nation CRP with information regarding the above statement. Methodology utilized by Yakama Nation archaeologists on previous projects does not constitute support for application of the same methodology on separate projects. Projects vary greatly in regards to potential impacts and each project must be considered independently regarding appropriate protection measures for cultural sites. Please refrain from indicating that the Yakama Nation is in support of protection measures suggested in this DNS/SEPA checklist. We have not been provided adequate information regarding the proposed project and cultural site types to make an informed determination regarding appropriate site protection measures.
- The above mentioned site protection measures requires a permit from the Washington State Department of Archaeology and Historic Preservation. Failure to obtain a permit prior to the implementation of site protection measures that might result in alteration of an archaeological resource will result in violation of RCW 27.53.060.

If you have any questions, please contact me directly or call Yakama Nation Archaeologist, Jessica Lally at ext. 4677. We look forward to receiving the above requested information.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Johnson Meninick', written over the printed name.

Johnson Meninick
Yakama Nation Cultural Resources Program Manager
509-865-5121 x4737

CC: Elizabeth Sanchey, Yakama Nation Environmental Management
Gretchen Kaehler, Department of Archaeology and Historic Preservation
Kristen Kuykendall, Washington Department of Fish and Wildlife
Jessica Lally, Yakama Nation Cultural Resources Program Archaeologist