

DEPARTMENT OF ANTHROPOLOGY (530)752-0745
NAGPRA PROJECT MANAGER (530)752-8501

ONE SHIELDS AVENUE
DAVIS, CALIFORNIA 95616-8686

June 17, 2014

Mr. David Murillo, Regional Director
Bureau of Reclamation
Mid-Pacific Regional Office
Federal Office Building
2800 Cottage Way
Sacramento, CA 95825-1989

Dear Mr. Murillo,

As you know the University of California, Davis, Department of Anthropology Museum houses archaeological collections resulting from Bureau of Reclamation projects in both the Auburn Dam and Tehama Colusa Canal area. These projects were completed by UC Davis faculty and graduate students through contracts with the National Park Service on behalf of the Bureau of Reclamation to mitigate the effects to cultural resources that would result from the Bureau of Reclamation projects.

The Department of Anthropology Museum has housed the relevant collections on behalf of the Bureau of Reclamation since they were excavated between 1966 and 1969. **We are writing concerning the NAGPRA responsibility for these collections.**

The relevant collections include Accession 32, excavated between 1966 and 1969, to mitigate damage to cultural resources as a result of the construction of the Auburn dam. Several sites were excavated; four of these sites contain human remains and funerary objects subject to NAGPRA (CA-ELD-90, ELD-93, ELD-16, and PLA-101). Accession 34, excavated in 1968, prior to the construction of the Tehama Colusa Canal includes one site (CA-TEH-262) containing human remains and funerary objects subject to NAGPRA.

The Bureau of Reclamation has asserted its control over the collection in various ways. In 1994-1995 a Bureau of Reclamation sponsored grant (#4-FG-20-12520) was awarded to the Department of Anthropology Museum in order to complete NAGPRA Inventories for the above mentioned sites. In 1994 and 1995, the Museum provided the Inventories to Bureau of Reclamation for review. At the approval of Bureau of Reclamation's Regional Archaeologist, Dr. G. James West, the Inventories and associated correspondence were approved and provided to National NAGPRA on behalf of the Bureau of Reclamation. The relevant sites are listed on National NAGPRA's "Culturally Unidentifiable Native American Inventory Database" under Bureau of Reclamation- Mid- Pacific Region today.

Beginning in 2006, the Bureau of Reclamation retracted previous NAGPRA efforts to further review determinations. At a December 2012 meeting, the Museum received a paper, *Ownership, Control, and*

Responsibility for Reclamation-related Collections in non-Reclamation Repositories (copy attached) by Joanne Goodsell, Bureau of Reclamation Archaeologist, detailing that Reclamation did not have ownership or control of the artifacts from two sites, and that additional legal research was needed to determine ownership and control for the other two sites.

As you may know, the United Auburn Indian Community has expressed their interest in the collection and copied the Museum on 2012 and 2013 requests to the Bureau of Reclamation for consultation regarding Accn. 32. We are concerned that this consultation request has not been accommodated.

The University continues to see these collections as a responsibility of the Bureau of Reclamation as outlined in 43 CFR 10.8 and 10.9 "Federal agencies are responsible for ensuring that these requirements are met for all collections from their lands or generated by their actions whether the collections are held by the Federal agency or by a non-Federal institution." We formally request the Bureau of Reclamation proceed in a timely manner with the requirements outlined in NAGPRA as the responsible agency for these collections. The United Auburn Indian Community and the University are working together to identify dates in early August for a museum visit. In anticipation of this meeting, we are requesting a reply regarding the status of the Auburn Dam Collections by July 31, 2014.

The Museum and the NAGPRA Project Manager are interested in supporting the Bureau of Reclamation's NAGPRA efforts and are ready to facilitate this process by providing access to records and collections when consultation is scheduled.

In addition to the above mentioned sites, we also wanted to bring your attention to two sites, Accession 144 (CA-NAP-433) and Accession 367 (CA-SIS-259). Collections from these sites were removed from Bureau of Reclamation lands and are currently curated at University of California, Davis. We are looking forward to working with Bureau of Reclamation's Physical Anthropologist/NAGPRA Coordinator to ensure that NAGPRA consultations and responsibilities are met for these collections as well.

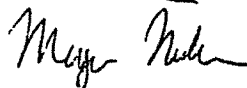
Please note we have copied the United Auburn Indian Community so that they are aware of the status of their request.

We look forward to working with you on this important matter.

Sincerely,



Robert Bettinger
Museum Director



Megon Noble
NAGPRA Project Manager

Cc: Melanie Ryan, Bureau of Reclamation, Physical Anthropologist/NAGPRA Coordinator
Marcos Guerrero, Cultural Resources Manager, United Auburn Indian Community
Melodi McAdams, Cultural Resources Specialist, United Auburn Indian Community

Encl.