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P78

January 15, 2000

Governor Gray Davis  
State Capitol  
Sacramento, California

Mr. Tim Salt, District Manager  
California Desert District, Bureau of Land Management  
United States Department of the Interior  
6221 Box Springs Boulevard  
Riverside, CA 92507-0714  
Attention: Mr. James Williams

Delivery Confirmation No. 0300 1290 0000 2255 1059  
VIA FAX 1 909/697-5299

Ms. Molly Brady, Area Manager  
Needles Field Office  
Spikes Road  
Needles, CA 92363

VIA FAX 1 760/326-7099

Mr. Stephen N. Arakawa, Manager  
Water Resource Management Group  
Metropolitan Water District - a California Public Agency  
P. O. Box 54153  
Los Angeles, CA 90054-0153  
Attention: Mr. Dirk Reed, Mr. Jack Safely

Delivery Confirmation No. 0300 1290 0000 2255 1066  
VIA FAX 1 213/217-6119

San Bernardino County Supervisors  
Attention: Bill Postmus  
County of San Bernardino, Planning Division  
385 N. Arrowhead Ave  
San Bernardino, California 92415-0181

VIA FAX 1 909/387-3223

Re: "Cadiz Groundwater Storage and Dry-Year Supply Program Environmental  
Planning Technical Report -- Cultural Resources"

Dear Governor Davis, Supervisor Postmus, Mr. Tim Salt, Mr. Stephen N. Arakawa,  
San Bernardino County Board of Supervisors, and Ms. Brady;

With regard to the above referenced report, I found it particularly troubling that a copy was not on file with the Needles Field Office when I requested to review it. This report had to be copied and shipped to Needles which took several days and caused delay in my ability to review it. But what was more bothersome was the fact that the Needles Field Office Archaeologist had not reviewed the report. This employee is a GS 12 and paid quite well, and regularly, with taxpayer funds; the above Cadiz water transfer project is the most controversial project that the Needles Field Office has going at this time. What is he being paid for if he doesn't review technical archaeological reports which pertain to projects which could potentially impact the archaeological

P78-1

resources in the area under his watch? Out of pure professionalism, one would think that the Field Office Archaeologist would review an important technical report that pertains to the archaeology of the area in which he is working. Given the curiosity of a typical archaeologist, I would think that Mr. Murray would want to review the report, therefore, I believe that the report was purposely kept from his purview. After reading the report, I now understand why the BLM and the MWD would not want any archaeologist to read the report—it is deficient, inadequate, demonstrates a lack of understanding of the prehistory of the area and downplays the significance of the prehistoric resources known to exist in Cadiz Valley.

P78-1

I object to any decision being made on the above reference water project because the information which you are relying on is deficient, inadequate and thus fatally flawed. In particular, the technical report referenced above submitted as authoritative is actually extremely narrow in its assessment and is deficient and inadequate for reviewing the impact of the proposed water transfer project upon paleo-archaeology sites in an area which has already been determined to be potentially key to the study of Early Man during the Pleistocene.

P78-2

I appreciate the apparent interest of the researchers in the historic era of the project area. The report, however, fails to reference key important plenary studies of Cadiz Valley such as that of Davis et al. and Gallegos et al. which are a basis to understanding ongoing theories and research problems in the Colorado Desert region. The ongoing scientific studies of Pleistocene man in the California desert rely on multiple disciplines including undisturbed paleontological and geological remains occurring along with archaeological resources on the high Pleistocene shorelines such as that found at Lake Cadiz. Issues have already been identified that rely on the study of the archaeology of Pleistocene Lake Cadiz, but those preparing the report for the subject project appear to either be unaware of them or have purposely excluded topics of interest to the archaeological community such as the potential for finding evidence of a link between Pleistocene mammal remains/fossils and hunter/gatherer tribes, or the significance of the Pleistocene shorelines in dating such evidentiary remains. Geoarchaeological data, such as an analysis of the various shorelines or dating of the shorelines for the purpose of relating those dates to the two prehistoric sites which were recorded, is lacking.

P78-3

Instead, the archaeological research presented as a complete analysis of the potential effect of the project upon the archaeological resources of Lake Cadiz was limited to a narrow focus upon the pipeline corridor, well field and a small "spreading basin." The report fails to state that the filling of the basin could result in a raising of the water table which could potentially (for example in a "100 year storm") result in a present day unnatural inundation of the various peripheries of Pleistocene Lake Cadiz shorelines where cultural resources occur. If such an incident should take place, the Lake Cadiz shoreline data and late Pleistocene archaeological sites could potentially be lost. The potential for cumulative adverse effect of repeated storage and transfer of water in the basin upon extant cultural resources in the basin in total was not discussed. Not discussed was the possible adverse effect of transevaporation (resulting from

P78-4

increased water storage) upon archaeological remains and geological evidence of age of the sites in the basin.

P78-4

Without an archaeological inventory of the entire Lake Cadiz basins including all of the Pleistocene shorelines there, the subject Environmental Impact Statement/Report cannot adequately address or assess the potential impact of the proposed project and is inherently deficient and flawed; it is your responsibility to see that a full record is developed and that all of the Cadiz basin is inventoried for cultural resources before making any determination of effect of the subject project. Further, the technical report should include a description of all of the previous inventories and/or archaeological surveys which were conducted within at least one mile of the proposed project area. A listing of all of the sites which have been recorded within at least one mile of the project area must be stated in the report. A thorough complete record would take into consideration the nearby archaeological record so that assumptions can be made about what can be expected in the project area when the field work is being conducted. Further, it is impossible to determine if archaeological districts, linear or continuous or reoccurrences of artifactual material are present if the surrounding archaeology is not described. Descriptions of the project area are incomplete without a complete picture of what is known about the archaeology of the Cadiz Valley, lake bed shorelines and dunes.

P78-5

P78-6

What is really troublesome is that the one very significant shoreline prehistoric site which was recorded, 4-SBr-9852, was also collected. Who authorized this collection to take place when the project is not imminent? Was NAGPRA taken into consideration and were Native Americans, in particular the Aha Macave and Chemehuevi, consulted? A discussion of Native American consultation and identification of Traditional Cultural Places must be included in the report in order to accurately assess the value and significance of the cultural resources and to know what to look for when the inventory is taking place. What is particularly disconcerting is the manner in which these artifacts were removed without any apparent consultation or without waiting until a project was certain. The public comment period is not even over, the project has not been approved, what was the purpose of the collection and removal of the artifacts to an office suite in Hemet, in an entirely different county? Was the California State Historic Preservation Office consulted prior to the site being collected? The report and study is deficient and inadequate because "avoidance" of this site was not even considered as an alternative to destroying it. Did the SHPO concur with the findings of the technical report which stated that the site is not eligible because the "informational value had been exhausted." As a person who has studied Cadiz Lake in the past as a part of the Johnson Valley to Parker race course, I would recommend that Site 4-SBr-9852, in particular, is eligible for the National Register under Criterion "D" as it could potentially yield information useful to understanding the cultures of those who lived along Pleistocene Lake shorelines. There are not that many sites left, as so many have been collected without authorization, which I suspect has happened at 4-SBr-9852.

P78-7

Calling this site "quite old." collecting the "formed" tools, then making statements

P78-8

that the informational value of the site is exhausted, is an indication that further expertise is sorely needed, not that the site is not eligible for the National Register of Historic Places. A data recovery plan should have been in place and concurred with by SHPO before this site was ever collected. Bifaces were collected, these need to be photographed and described. A curation agreement should be included in the Appendix and the final disposition of the artifacts should be stated in the report.

P78-8

Another site, 4-SBr-9848 is right on top the proposed spreading basin where "poorly developed desert pavement" should be tested for subsurface deposits—shovel probes are not sufficient and soil descriptions are necessary. (By-the-way, the term "formed" tools is likely a misnomer in that it implies that molds or forms were used). The Cadiz Valley has already yielded artifacts similar to the nearby Pinto Basin and are of similar age; also found were artifacts that are 3,000 years old and artifacts which are 12,000 or more years old...but correlation with this previous reporting is not made in the report. The correlation is not mentioned in the "Cultural Context" section either. It cannot possibly be known if the "informational value" has been exhausted without a basic understanding of what the information potential is. Without an adequate record of the resources, any proposed protective measures and/or data recovery plan is inadequate and deficient. Which brings up another reason why the subject technical report is deficient—there are no recommendations as far as protective measures or data recovery. The data recovery was completed without public review and without project approval. What if there is no project? The data recovery was unnecessary and in fact could be considered an unlawful removal of public property, an infringement on the public trust and a violation of the Archaeological Resources Protection Act.

P78-9

The search of existing records described in the technical report described a study of the records on file at the San Bernardino County archive. Apparently, the archive used is not exhaustive as important resources were not mentioned. Further, the archaeological records at the BLM office in Needles was apparently not used as a resource even though this field office is the archive for the archaeological resources on the public lands in the subject study area. Other archives in San Diego, at UCR and UNLV, 29 Palms and Parker are also useful. The fact that the work of E.L. Davis, et al. and Gallegos, et al. who looked at Cadiz Valley as a Pleistocene Lake which could potentially yield evidence of Early Man, are not mentioned even though both reports were published by and on file with the Bureau of Land Management and the fact that the technical report lacked correlation between the existing information about the Archaeology of Cadiz Valley and what was reported in the subject technical report about the archaeology of the area, is an indication that the field investigation was conducted without the proper background knowledge of the area.

P78-10

Without the essential background knowledge, the surveyors may have not understood important concepts about the soils, geomorphology, geology, paleontology and archaeology of the valley that would have helped them to locate archaeological sites. Not mentioned were the paleosols, "witness stands," caliche shoreline deposits, and 12,000 year old sites found by other researchers at Lake Cadiz and in the Cadiz dunes. Further, when a report on a project of this magnitude, a project which

P78-11

threatens to affect the entire Cadiz Valley. leaves out any discussion of the possibility of the existence of early man sites in Cadiz Valley, it is an indication of either inexperience on the part of the researchers or disrespect for scientific theory and possibly, and/or a cover-up. (The latter is less likely, I'm sure).

P78-11

Sadly, it is to the advantage of the project proponent to contract with less experienced researchers, hoping that they will uncover nothing that would stop the project. It is up to the "unvested" agency to ensure that an objective, thorough reporting of the full record is completed. Unfortunately, in this case, the agency, MWD, is vested in the project and therefore cannot make anything other than a subjective instruction to the consultants and a subjective decision on the project. Nevertheless, a decision based upon a record which is incomplete or which was conducted by inexperienced, uninformed researchers is deficient and inadequate. The only alternative for the agency other than to deal with potential legal action at the expense of the taxpayers is to require the completion a Class III archaeological resurvey of the entire project area and the entire Cadiz basin and recirculate the EIS/R with the revised findings. A resurvey of the area is also necessary because in some places, the field crew did not complete a 100% inventory because they were spaced more than 20 meters apart; spacing of 70, 80, 90 or 100 feet apart likely resulted in sites which were overlooked.

P78-12

Other comments: Please include a copy of the GLO Plat Map (with date and name of surveyor) which illustrates the location of the "Road to the Old Woman Mountains." A historic record of the location of this road needs to be established in the archaeological archives. Please include Big Horn Sheep in your list of fauna of the area and a listing of all the now extinct Pleistocene animals known to have inhabited the Cadiz Valley.

P78-13

Certainly, there are other basins in Southern California that are not significant Pleistocene lakes that could potentially yield information important to the study of Early Man. Further, the California Desert Plan requires that the BLM complete an inventory of all potential water storage/transfer basins in the BLM to compare and evaluate the best locations for water storage should water storage/transfer be amended as an allowed use of the California Desert District Conservation Area. The BLM has not done this, nor has it compared and evaluated various locations to determine areas where a project such as that proposed here, would not adversely affect cultural resources. Thus, it is not stated, and it is not known, if other areas exist where a project such as this would be less detrimental to the resources, thus insufficient evidence exists to base a decision upon.

P78-14

Submitted by,

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