

## **Local Government Tribal Consultation List Request**

### **NATIVE AMERICAN HERITAGE COMMISSION**

915 Capitol Mall, RM 364  
Sacramento, CA 95814  
(916) 373-3710  
(916) 373-5471 – Fax  
[nahc@nahc.ca.gov](mailto:nahc@nahc.ca.gov)

**Date:** 04/02/2019

#### **Type of List Requested**

- CEQA Tribal Consultation List (AB 52) – *Per Public Resource Code §21080.3, subs. (b), (d), (e) and 21080.3.2*

- General Plan (SB 18) – *Per Government Code §65352.3.*

#### **Local Action Type:**

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> General Plan  | <input type="checkbox"/> General Plan Element    | <input type="checkbox"/> General Plan Amendment |
| <input type="checkbox"/> Specific Plan | <input type="checkbox"/> Specific Plan Amendment | <input type="checkbox"/> Pre-planning Outreach  |

#### **Required Information**

Project Title: ALTA2019-09 LACO Hartley Street PIP Lakeport Project

Local Government/Lead Agency: City of Lakeport

Contact Person: Nicholas Radtkey (Alta Archaeological Consulting)

Street Address: 15 Third Street

City: Santa Rosa

Zip: 95404

Phone: (707) 544-4206

Fax: (707) 546-2135

Email: n.radtkey@altaac.com

#### **Specific Area Subject to Proposed Action**

**County:** Lake

**City/Community:** Lakeport

**Project Description:** The project proponent is proposing to improve pedestrian access along Hartley Street in the City of Lakeport. The project proposes to construct sidewalks along the western side of Hartley Street from 19<sup>th</sup> street to the northerly City Limits, and to provide crosswalks to access the eastern side of the street. The project further entails installation of fencing and retaining walls. The total length of the project is approximately 3000 feet within the City Limits (see Map 1).

#### **Additional Request**

- Sacred Lands File Search – *Required Information*

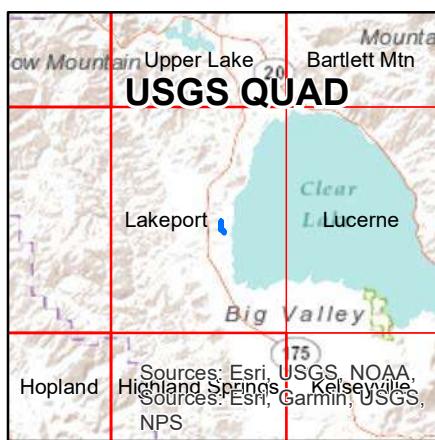
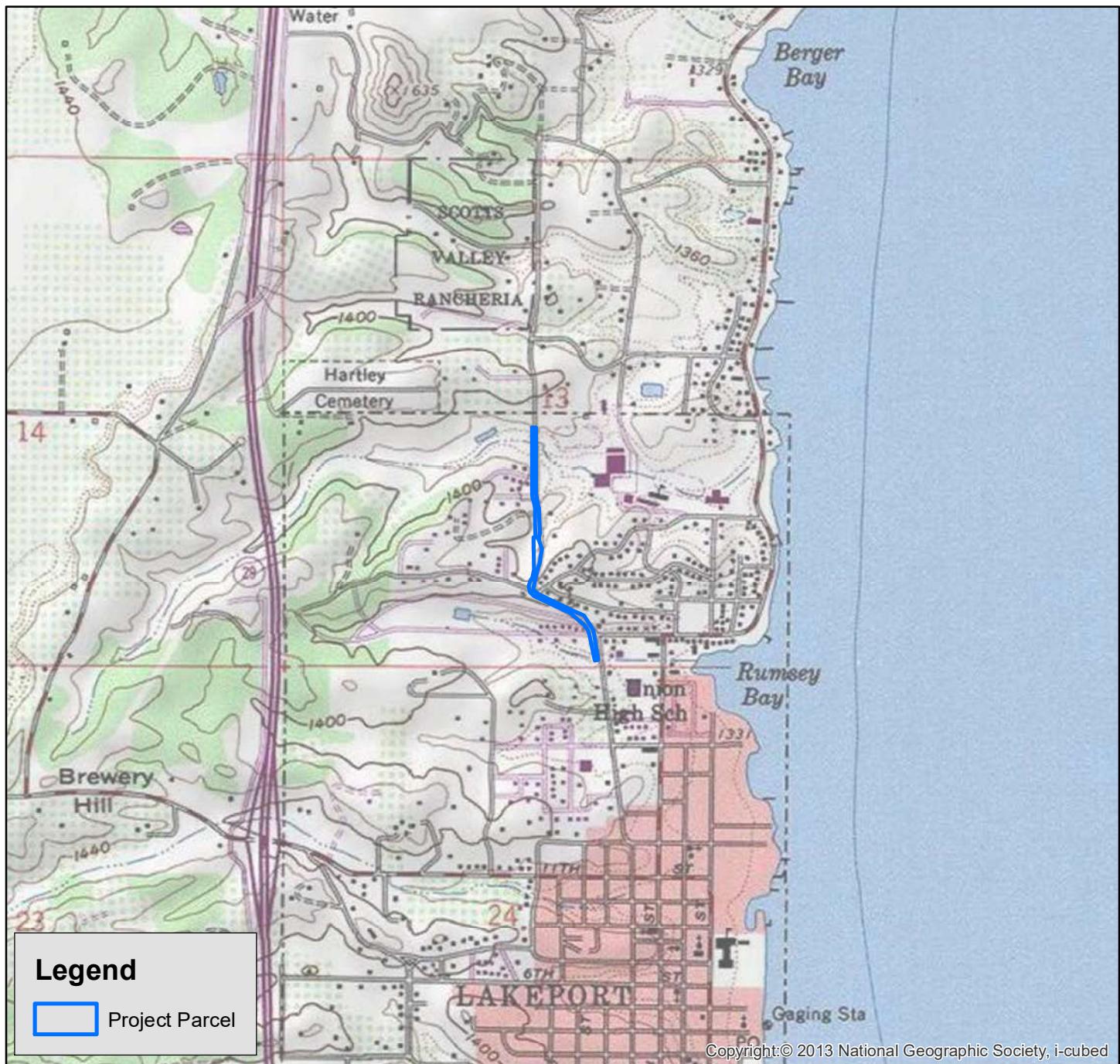
USGS 7.5' Quadrangle Name(s): Lakeport

Township: 14 North

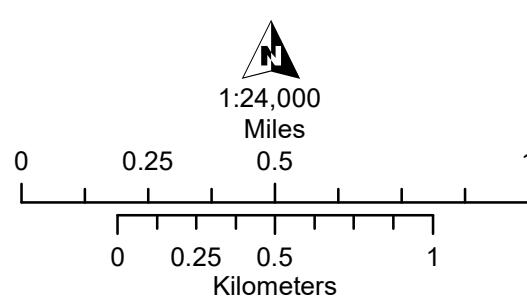
Range: 10 West

Section(s): 13, Mount Diablo Base and Meridian

Figure 2. Project Location



USGS 7.5' Lakeport Quad.  
(2013 National Geographic Society)  
T14N, R10W, Section 13 MDBM



**NATIVE AMERICAN HERITAGE COMMISSION**

Cultural and Environmental Department  
1550 Harbor Blvd., Suite 100  
West Sacramento, CA 95691 Phone: (916) 373-3710  
Email: [nahc@nahc.ca.gov](mailto:nahc@nahc.ca.gov)  
Website: <http://www.nahc.ca.gov>

April 15, 2019

Nicholas Radtkey  
Alta Archaeological Consulting

VIA Email to: [n.radtkey@altaac.com](mailto:n.radtkey@altaac.com)

RE: Native American Tribal Consultation, Pursuant to the Assembly Bill 52 (AB 52), Amendments to the California Environmental Quality Act (CEQA) (Chapter 532, Statutes of 2014), Public Resources Code Sections 5097.94 (m), 21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2 and 21084.3, ALTA2019-09 LACO Hartley Street PIP Lakeport Project, Lake County.

Dear Mr. Radtkey:

Pursuant to Public Resources Code section 21080.3.1 (c), attached is a consultation list of tribes that are traditionally and culturally affiliated with the geographic area of the above-listed project. Please note that the intent of the AB 52 amendments to CEQA is to avoid and/or mitigate impacts to tribal cultural resources, (Pub. Resources Code §21084.3 (a)) ("Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource.")

Public Resources Code sections 21080.3.1 and 21084.3(c) require CEQA lead agencies to consult with California Native American tribes that have requested notice from such agencies of proposed projects in the geographic area that are traditionally and culturally affiliated with the tribes on projects for which a Notice of Preparation or Notice of Negative Declaration or Mitigated Negative Declaration has been filed on or after July 1, 2015. Specifically, Public Resources Code section 21080.3.1 (d) provides:

Within 14 days of determining that an application for a project is complete or a decision by a public agency to undertake a project, the lead agency shall provide formal notification to the designated contact of, or a tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, which shall be accomplished by means of at least one written notification that includes a brief description of the proposed project and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation pursuant to this section.

The AB 52 amendments to CEQA law does not preclude initiating consultation with the tribes that are culturally and traditionally affiliated within your jurisdiction prior to receiving requests for notification of projects in the tribe's areas of traditional and cultural affiliation. The Native American Heritage Commission (NAHC) recommends, but does not require, early consultation as a best practice to ensure that lead agencies receive sufficient information about cultural resources in a project area to avoid damaging effects to tribal cultural resources.

The NAHC also recommends, but does not require that agencies should also include with their notification letters, information regarding any cultural resources assessment that has been completed on the area of potential effect (APE), such as:

1. The results of any record search that may have been conducted at an Information Center of the California Historical Resources Information System (CHRIS), including, but not limited to:
  - A listing of any and all known cultural resources that have already been recorded on or adjacent to the APE, such as known archaeological sites;
  - Copies of any and all cultural resource records and study reports that may have been provided by the Information Center as part of the records search response;
  - Whether the records search indicates a low, moderate, or high probability that unrecorded cultural resources are located in the APE; and
  - If a survey is recommended by the Information Center to determine whether previously unrecorded cultural resources are present.
2. The results of any archaeological inventory survey that was conducted, including:
  - Any report that may contain site forms, site significance, and suggested mitigation measures.

All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure in accordance with Government Code section 6254.10.
3. The result of any Sacred Lands File (SLF) check conducted through the Native American Heritage Commission was positive. Please contact the Pomo tribes on the attached list for more information.
4. Any ethnographic studies conducted for any area including all or part of the APE; and
5. Any geotechnical reports regarding all or part of the APE.

Lead agencies should be aware that records maintained by the NAHC and CHRIS are not exhaustive and a negative response to these searches does not preclude the existence of a tribal cultural resource. A tribe may be the only source of information regarding the existence of a tribal cultural resource.

This information will aid tribes in determining whether to request formal consultation. In the event that they do, having the information beforehand will help to facilitate the consultation process.

If you receive notification of change of addresses and phone numbers from tribes, please notify the NAHC. With your assistance, we can assure that our consultation list remains current.

If you have any questions, please contact me at my email address: [katy.sanchez@nahc.ca.gov](mailto:katy.sanchez@nahc.ca.gov)

Sincerely,



KATY SANCHEZ  
Associate Environmental Planner

Attachment

**Native American Heritage Commission  
Tribal Consultation List  
04/12/2019**

Bia Valley Band of Pomo Indians  
Anthony Jack. Chairperson  
2726 Mission Rancheria Rd. Pomo  
Lakeport , CA 95453  
ajack@big-valley.net  
(707) 263-3924 Ext. 103

Mishewal-Wappo Tribe of Alexander Valley  
Scott Gabaldon. Chairperson  
2275 Silk Road Wappo  
Windsor , CA 95492  
scottg@mishewalwappotribe.com  
(707) 494-9159

Elem Indian Colony Pomo Tribe  
Aqustin Garcia. Chairperson  
P.O. Box 757/ 16170 Main Stre Southeastern Pomo  
Lower Lake , CA 95457  
k.cole@elemindiancolonv.ora  
(707) 994-3400

Robinson Rancheria Band of Pomo Indians  
Eddie J. Crandall. Chairperson  
P.O. Box 4015 Pomo  
Nice , CA 95464  
tavilabasket@yahoo.com  
(707) 275-0527

Habematolel Pomo of Upper Lake  
Sherry Treppa. Chairperson  
P.O. Box 516 Pomo  
Upper Lake , CA 95485  
(707) 275-0734

Scotts Valley Band of Pomo Indians  
Shawn Davis. Chairperson  
1005 Parallel Drive Pomo  
Lakeport , CA 95453 Wailaki  
shawn.davis@sv-nsn.gov  
(707) 263-4220

Koi Nation of Northern California  
Darin Beltran. Chairperson  
P.O. Box 3162 Pomo  
Santa Rosa , CA 95402  
kn@koination.com  
(707) 758-7408

Middletown Rancheria  
Jose Simon III. Chairperson  
P.O. Box 1035 Pomo  
Middletown , CA 95461 Lake Miwok  
sshope@middletownrancheria.  
(707) 987-3670 Office

This list is current only as of the date of this document and is based on the information available to the Commission on the date it was produced.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 50 97.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable only for consultation with Native American tribes under Public Resources Code Sections 21080.1, 21080.3.1, and 21080.3.2 for proposed: ALTA2019-09 LACO Hartley Street PIP Lakeport Project, Lake County.



Alta Archaeological Consulting, LLC  
15 Third Street  
Santa Rosa, CA 95401  
office (707) 544-4206  
fax (707) 546-2135  
[www.altaac.com](http://www.altaac.com)

May 7, 2019

Big Valley Band of Pomo  
Anthony Jack, Chairperson  
2726 Mission Rancheria Road  
Lakeport, CA 95453

**Re: Invitation to Begin Consultation with Tribe - Hartley Street Pedestrian Improvements Project, City of Lakeport, Lake County, California**

Dear Chairperson,

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The City has retained Alta Archaeological Consulting (ALTA) to conduct the archaeological and cultural resource surveys for this project. Mr. Alex DeGeorgey, ALTA Principal Investigator, will be contacting you shortly to initiate Native American consultation on this project. As part of this effort, Alex DeGeorgey will ask if the Tribe knows of any culturally sensitive locations at or near the project location and if the Tribe has concerns regarding the proposed project.

The City recognizes the unique government-to-government relationship that the Tribes hold with the City. To complete environmental studies, City will be coordinating with environmental consultants to conduct

studies, provide consultation and prepare documents. Should the Tribe prefer an alternative arrangement on how consultation shall occur, we would be glad to work with you to identify a mutually satisfactory means for including your concerns into the project development process. Therefore, if requested by the Tribe, City as the acting Lead Agency would take the lead in this consultation as required under AB52. In addition, if at any time during the consultation process the Tribe would like to solely consult with the City as the State Lead Agency, please contact me to make this happen. The City also understands they may not delegate away their consultation responsibilities. Please let me know if you would prefer to consult with the City directly on this project.

The City understands the sensitive nature of the environmental studies with regard to discussions on cultural resources and other environmental impacts which may affect your community. Due to this your interest and participation is invaluable to the process. The City wants to ensure that the Tribe's concerns are treated with respect and that these are addressed to the Tribe's satisfaction.

Sincerely,



Alex DeGeorgey, MA, RPA  
Principal Investigator

**Attachments:** Project Location Map  
Project Area Map



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15 Third Street  
Santa Rosa, CA 95401  
office (707) 544-4206  
fax (707) 546-2135  
[www.altaac.com](http://www.altaac.com)

May 7, 2019

Elem Indian Colony Pomo Tribe  
Agustin Garcia, Chairperson  
16170 Main Street  
Lower Lake, CA 95457

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May 7, 2019

Habematolel Pomo of Upper Lake  
Sherry Treppa, Chairperson  
P.O. Box 516  
Upper Lake, CA 95485

**Re: Invitation to Begin Consultation with Tribe - Hartley Street Pedestrian Improvements Project, City of Lakeport, Lake County, California**

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May 7, 2019

Koi Nation of Northern California  
Darin Beltran, Chairperson  
P.O. Box 3162  
Santa Rosa, CA 95402

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May 7, 2019

Middletown Rancheria  
Jose Simon III, Chairperson  
P.O. Box 1035  
Middletown, CA 95461

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May 7, 2019

Mischeweal-Wappo tribe of Alexander Valley  
Scott Gabaldon, Chairperson  
2275 Silk Road  
Windsor, CA 95492

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Alex DeGeorgey, MA, RPA  
Principal Investigator

**Attachments:** Project Location Map  
Project Area Map



Alta Archaeological Consulting, LLC  
15 Third Street  
Santa Rosa, CA 95401  
office (707) 544-4206  
fax (707) 546-2135  
[www.altaac.com](http://www.altaac.com)

May 7, 2019

Robinson Rancheria Band of Pomo Indians  
Eddie J. Crandall, Chairperson  
P.O. Box 4015  
Nice, CA 95464

**Re: Invitation to Begin Consultation with Tribe - Hartley Street Pedestrian Improvements Project, City of Lakeport, Lake County, California**

Dear Chairperson,

The purpose of this letter is to begin consultation on the Hartley Street Pedestrian Improvement Project. The City of Lakeport (City) plans to improve pedestrian access along Hartley Street within the City of Lakeport. Hartley Street provides access to the westerly edge of three Lakeport schools including elementary, junior high and high school campuses. The project includes construction of sidewalks along the western side of Hartley Street from 19<sup>th</sup> street to the northerly City limits, and to provide crosswalks to access the eastern side of the street. The project also entails installation of fencing and retaining walls. The total length of the project is approximately 3000 feet.

The proposed project is located in within the city limits of Lakeport along Hartley Street from 19<sup>th</sup> Street to the northerly city limits. The project area is located in Township 14 North, Range 10 West, in Section 13 of the Lakeport 7.5' USGS topographic quadrangle map. Attached to this letter is a copy of a topographic map and project area map that indicate the project location and boundaries.

Assembly Bill 52, which went into effect in July 2015, is an amendment to CEQA Section 5097.94 of the Public Resources Code. AB52 established a proactive consultation process with all California Native American tribes identified by the Native American Heritage Commission (NAHC) with cultural ties to an area. This process is implemented on projects that file a notice of preparation for an EIR or notice of intent to adopt a negative or mitigated negative declaration. Under AB52, the lead agency is required to consult with tribes at tribal request. The bill further created a new class of resources under CEQA known as Tribal Cultural Resources (TCRs).

The City has retained Alta Archaeological Consulting (ALTA) to conduct the archaeological and cultural resource surveys for this project. Mr. Alex DeGeorgey, ALTA Principal Investigator, will be contacting you shortly to initiate Native American consultation on this project. As part of this effort, Alex DeGeorgey will ask if the Tribe knows of any culturally sensitive locations at or near the project location and if the Tribe has concerns regarding the proposed project.

The City recognizes the unique government-to-government relationship that the Tribes hold with the City. To complete environmental studies, City will be coordinating with environmental consultants to conduct

studies, provide consultation and prepare documents. Should the Tribe prefer an alternative arrangement on how consultation shall occur, we would be glad to work with you to identify a mutually satisfactory means for including your concerns into the project development process. Therefore, if requested by the Tribe, City as the acting Lead Agency would take the lead in this consultation as required under AB52. In addition, if at any time during the consultation process the Tribe would like to solely consult with the City as the State Lead Agency, please contact me to make this happen. The City also understands they may not delegate away their consultation responsibilities. Please let me know if you would prefer to consult with the City directly on this project.

The City understands the sensitive nature of the environmental studies with regard to discussions on cultural resources and other environmental impacts which may affect your community. Due to this your interest and participation is invaluable to the process. The City wants to ensure that the Tribe's concerns are treated with respect and that these are addressed to the Tribe's satisfaction.

Sincerely,



Alex DeGeorgey, MA, RPA  
Principal Investigator

**Attachments:** Project Location Map  
Project Area Map



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May 7, 2019

Scotts Valley Band of Pomo Indians  
Shawn Davis, Chairperson  
1005 Parallel Drive  
Lakeport, CA 95453

**Re: Invitation to Begin Consultation with Tribe - Hartley Street Pedestrian Improvements Project, City of Lakeport, Lake County, California**

Dear Chairperson,

The purpose of this letter is to begin consultation on the Hartley Street Pedestrian Improvement Project. The City of Lakeport (City) plans to improve pedestrian access along Hartley Street within the City of Lakeport. Hartley Street provides access to the westerly edge of three Lakeport schools including elementary, junior high and high school campuses. The project includes construction of sidewalks along the western side of Hartley Street from 19<sup>th</sup> street to the northerly City limits, and to provide crosswalks to access the eastern side of the street. The project also entails installation of fencing and retaining walls. The total length of the project is approximately 3000 feet.

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Sincerely,



Alex DeGeorgey, MA, RPA  
Principal Investigator

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Project Area Map

MONTGOMERY VILLAGE  
707 HAHMAN DR  
SANTA ROSA, CA 95405-9991  
056996-0663  
(800)275-8777  
05/07/2019 03:55 PM

Product	Qty	Unit Price	Price
First-Class Mail Letter (Domestic) (MIDDLETON, CA 95461) (Weight:0 Lb 0.80 Oz) (Estimated Delivery Date) (Thursday 05/09/2019)	1	\$0.55	\$0.55
Certified (@USPS Certified Mail #) (70190160000101285694)		\$3.50	
First-Class Mail Letter (Domestic) (NICE, CA 95464) (Weight:0 Lb 0.80 Oz) (Estimated Delivery Date) (Thursday 05/09/2019)	1	\$0.55	\$0.55
Certified (@USPS Certified Mail #) (70190160000101285687)		\$3.50	
First-Class Mail Letter (Domestic) (UPPER LAKE, CA 95485) (Weight:0 Lb 0.80 Oz) (Estimated Delivery Date) (Thursday 05/09/2019)	1	\$0.55	\$0.55
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First-Class Mail Letter (Domestic) (SANTA ROSA, CA 95402) (Weight:0 Lb 0.80 Oz) (Estimated Delivery Date) (Thursday 05/09/2019)	1	\$0.55	\$0.55
Certified (@USPS Certified Mail #) (70190160000101285663)		\$3.50	
First-Class Mail Letter (Domestic) (LAKEPORT, CA 95453) (Weight:0 Lb 0.80 Oz) (Estimated Delivery Date) (Thursday 05/09/2019)	1	\$0.55	\$0.55
Certified (@USPS Certified Mail #) (70190160000101285649)		\$3.50	
First-Class Mail Letter (Domestic) (WINDSOR, CA 95492) (Weight:0 Lb 0.80 Oz) (Estimated Delivery Date) (Thursday 05/09/2019)	1	\$0.55	\$0.55
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First-Class Mail Letter (Domestic) (LOWER LAKE, CA 95457) (Weight:0 Lb 0.80 Oz) (Estimated Delivery Date) (Thursday 05/09/2019)	1	\$0.55	\$0.55
Certified (@USPS Certified Mail #) (70190160000101285625)		\$3.50	
<b>Total:</b>			<b>\$28.35</b>

Credit Card Remit  
(Card Name:VISA)  
(Account #:XXXXXXXXXXXX7752)  
(Approval #:04804D)  
(Transaction #:688)  
(AID:A00000000031010 Chip)

### U.S. Postal Service™ CERTIFIED MAIL® RECEIPT

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For delivery information, visit our website at [www.usps.com](http://www.usps.com).

LOWER LAKE, CA 95457

Certified Mail Fee	\$3.50
Extra Services & Fees (check box, add fee \$0.00 if applicable)	\$0.00
<input type="checkbox"/> Return Receipt (handcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.55
Total Postage and Fees	\$4.05

05/07/2019

See Reverse for Instructions

### U.S. Postal Service™ CERTIFIED MAIL® RECEIPT

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For delivery information, visit our website at [www.usps.com](http://www.usps.com).

SANTA ROSA, CA 95402

Certified Mail Fee	\$3.50
Extra Services & Fees (check box, add fee \$0.00 if applicable)	\$0.00
<input type="checkbox"/> Return Receipt (handcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.55
Total Postage and Fees	\$4.05

05/07/2019

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For delivery information, visit our website at [www.usps.com](http://www.usps.com).

WINDSOR, CA 95492

Certified Mail Fee	\$3.50
Extra Services & Fees (check box, add fee \$0.00 if applicable)	\$0.00
<input type="checkbox"/> Return Receipt (handcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.55
Total Postage and Fees	\$4.05

05/07/2019

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Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com).

LAKEPORT, CA 95453

Certified Mail Fee	\$3.50
Extra Services & Fees (check box, add fee \$0.00 if applicable)	\$0.00
<input type="checkbox"/> Return Receipt (handcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.55
Total Postage and Fees	\$4.05

05/07/2019

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Certified Mail Fee	\$3.50
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<input type="checkbox"/> Return Receipt (handcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.55
Total Postage and Fees	\$4.05

05/07/2019

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Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com).

MIDDLETON, CA 95461

Certified Mail Fee	\$3.50
Extra Services & Fees (check box, add fee \$0.00 if applicable)	\$0.00
<input type="checkbox"/> Return Receipt (handcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.55
Total Postage and Fees	\$4.05

05/07/2019

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## SCOTTS VALLEY BAND OF POMO INDIANS

May 28, 2019

Mr. Alex DeGeorgey  
Principal Investigator  
ALTA Archaeological Consulting, LLC  
15 Third Street  
Santa Rosa, Ca 95401

Mr. DeGeorgey,

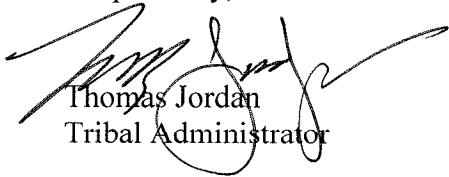
**Re: Hartley Street Pedestrian Improvements Project, City of Lakeport**

Scotts Valley Band of Pomo Indians (SVBPI) is following up on your correspondence, dated May 7, 2019, regarding the above referenced project.

Hartley Street is contiguous to SVBPI's original assigned federal lands that were subsequently dissolved again by federal decree. Accordingly, SVBPI has a clear interest in this project and looks forward to both consultation and the assignment of its cultural monitor(s) during any and all ground disturbance undertaken by the project.

Please feel free to contact SVBPI's Cultural Preservation Officer, Ms. Patricia Franklin at 707. 533.2476 to discuss relevant project details.

Respectfully,



Thomas Jordan  
Tribal Administrator

Cc      S. Davis, SVBPI Chairman  
          P. Franklin, Cultural Preservation Officer