

Appendix D

Cultural Resources Consultation and Correspondence

TEXAS HISTORICAL COMMISSION
real places telling real stories

February 22, 2016

Jonathan Van Hoose
U.S. Army Corps of Engineers, Albuquerque District
4101 Jefferson Plaza NE
Albuquerque, NM 87109

Re: Project review under the Antiquities Code of Texas and Section 106 of the National Historic Preservation Act
Draft Report: Archeological Survey of 388 Acres within the Rio Bosque Wetland Park, El Paso County (City of El Paso and COE Albuquerque; Tracking No. 201604577)

Dear Mr. Van Hoose:

Thank you for allowing us to review the above referenced project. This letter serves as comment on the proposed federal undertaking from the State Historic Preservation Officer, the Executive Director of the Texas Historical Commission. As the state agency responsible for administering the Antiquities Code of Texas, these comments also provide recommendation on compliance with state antiquities laws and regulations.

The review staff, led by David Camarena Garcés has completed our review of the Draft Report for Antiquities Permit **7464**. Overall, we find the report to be well written, concise and to the point. We concur that sites 41EP7146, 41EP7147, 41EP7148, and 41EP7149 are not eligible for listing on the National Register of Historic Places (NRHP) or as a State Antiquities Landmark (SAL) due to the lack integrity, significance, or inability to address any regional historic context. Therefore the project may proceed without further consultation with this office. As always, if archeological materials or human remains are encountered during construction, work must cease and the THC should be notified immediately.

We look forward to receiving the final copy of the report along with two tagged PDF format copies of the report (one showing site locations and one with these redacted figures) on an archival quality CD or DVD, and a completed copy of the THC Abstract in Texas Archeology Form. Please also insure that a digital shapefile of the project area is forwarded to archeological_projects@thc.state.tx.us if you have not already done so. Thank you for your cooperation in this state and federal process, and for your efforts to preserve the irreplaceable heritage of Texas. If we may be of further assistance, please contact David Camarena Garcés at 512/463-6252 or david.camarena@thc.state.tx.us.

Sincerely,



for
Mark Wolfe, State Historic Preservation Officer



GREG ABBOTT, GOVERNOR • JOHN L. NAU, III, CHAIR • MARK WOLFE, EXECUTIVE DIRECTOR
P.O. BOX 12276 • AUSTIN, TEXAS • 78711-2276 • P 512.463.6100 • F 512.475.4872 • www.thc.state.tx.us

Attachment 1. Concurrence letter from Texas Historical Commission (THC).



DEPARTMENT OF THE ARMY
ALBUQUERQUE DISTRICT, CORPS OF ENGINEERS
4101 JEFFERSON PLAZA NE
ALBUQUERQUE NM 87109-3435

October 6, 2017

Planning, Project and Program Management Division
Planning Branch
Environmental Resources Section

Mark Wolfe
State Historic Preservation Officer
Texas Historical Commission
108 W. 16th Street
Austin, TX 78701

Dear Mr. Wolfe:

The U.S. Army Corps of Engineers (Corps), Albuquerque District, in conjunction with El Paso Water Utilities (EPWU), is planning an ecosystem restoration project that would protect and enhance the wetlands within the Rio Bosque Wetlands Park, located in El Paso County, TX. The project is located in extreme southeast El Paso, near Mission Trail (Enclosures 1 and 2). Irrigation canals and drains on the east, south and northern sides enclose the Park. The western boundary of the park lies adjacent to the Rio Grande, which forms the international border between the United States and Mexico in this area.

The goal of the proposed project is to restore El Paso Rio Bosque Wetlands Park (Park) to a more natural environment consisting of a mix of native upland, riparian and aquatic environments, including bosque (riparian forest), wetlands, ponds, riparian shrubs, dune and upland habitats. AmaTerra Environmental, Inc. conducted a cultural resources inventory of the Park and encountered four newly-discovered archaeological sites of recent historic age: 41EP7146, 41EP7147, 41EP7148, and 41EP7149. AmaTerra recommended that none of these are eligible for NRHP listing. Your office concurred with their ineligibility, consistent with an overall determination of **no historic properties affected** for the proposed work within the park, on February 22, 2017 (see Enclosure 3).

Since that time, the Corps is now considering using an area adjacent to the Rio Bosque Park to the south as a disposal location for sediment removed from the park by the proposed project (Enclosure 4). The Corps and EPWU estimate that disposal of excess sediment will require approximately 75 acres, and have selected a 163-acre area to allow flexibility in placement of material during construction. The Corps has defined the area of potential effect (APE) for the disposal action to be the 163-acre area shown on the map in Enclosure 4.

The proposed disposal location was previously heavily disturbed and used as the Old Socorro Plant wastewater treatment facility from the 1960s to 1990s. Examination of current and historic aerial photography of the area shows that the area selected for disposal was extensively reworked and modified through the construction of wastewater treatment cells (Enclosures 4 and 5), constructed to depths of four feet or more and involving significant redistribution of surface sediments. Further, the shovel testing and geomorphological study conducted by AmaTerra in the adjacent Rio Bosque Wetlands Park suggest a very low likelihood of pre-20th Century buried materials being present in this portion of the Rio Grande floodplain. Taken

Attachment 2. Consultation letter to Texas Historical Commission (THC) on disposal areas (Continued on following pages).

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together, it is highly unlikely that any intact cultural deposits would be visible from the surface, and the Corps determined that a pedestrian survey of the proposed disposal areas is not warranted. David Camarena of your office agreed with this decision via email on August 7, 2017.

Texas's ATLAS database shows the presence of three documented historic properties immediately adjacent to the proposed disposal areas (Enclosure 6). These include: 41EP4678, the Riverside Intercepting Drain; 41EP4679, the Riverside Canal; and 41EP3854, a historic farmstead. The first two properties, the Drain and Canal, run parallel to each other and mark the northern and northwestern boundaries of the proposed disposal area. According to the ATLAS database, these were both determined **not eligible** for NRHP listing on 24 June 1994 (Atlas Numbers 8600015478 and 8600015479). The third property, the historic homestead, was documented via its appearance in historic aerial imagery from 1936 and 1943 aerial photographs. No structures or other features likely to be associated with this homestead appear in modern aerial photographs, and it is likely that the majority of these features were destroyed or significantly damaged during 20th-century earth-moving associated with the Old Socorro Plant. It is unlikely that any associated remains would be eligible for NRHP listing; however, a full determination of eligibility would require field documentation. Given that the site's ATLAS map location shows it to be outside of the APE for the current project, the Corps considers its eligibility to be **undetermined**.

According to information provided by EPWU, the property covered by the proposed disposal APE was purchased by the City of El Paso in 1964, and the treatment ponds were constructed in 1966. While their age exceeds the 50-year threshold for consideration of NRHP eligibility, the remains of these ponds appear to be undistinctive in form or construction, are no longer functioning, and have been subject to deterioration and erosion since the Socorro Plant ceased operation and was replaced in the early 1990s. As such, the Corps determines that these ponds are **not eligible** for listing on the NRHP. We seek your concurrence in this determination.

The proposed project would involve mechanized dumping and spreading of sediment over the existing ground surface, and associated vehicle movement. The ground surface within the APE has been subjected to significant disturbance and reworking in the construction and operation of the treatment ponds, and no additional excavation would be required. There is a very low likelihood that the proposed action would impact any buried deposits that might be present at greater depths. In addition, the site with undetermined eligibility (41EP3854) would be completely avoided by the project, and access to the disposal area would be via existing roads and bridges. The Corps therefore determines that the proposed disposal activity, and the El Paso Rio Bosque project as a whole, will have **no historic properties affected**. We seek your concurrence in this determination.

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The Corps thanks you for your attention to this matter. If you have any questions or require additional information concerning the El Paso Rio Bosque Wetlands Park Ecosystem Restoration Project, please contact archaeologist Jonathan Van Hoose at (505) 342-3687 or by email at Jonathan.E.Vanhooose@usace.army.mil, or me at (505) 342-3281 or by email at George.H.Macdonell@usace.army.mil. You may also provide comments to the above address.

Sincerely,



For George H. MacDonell
Chief, Environmental Resources Section

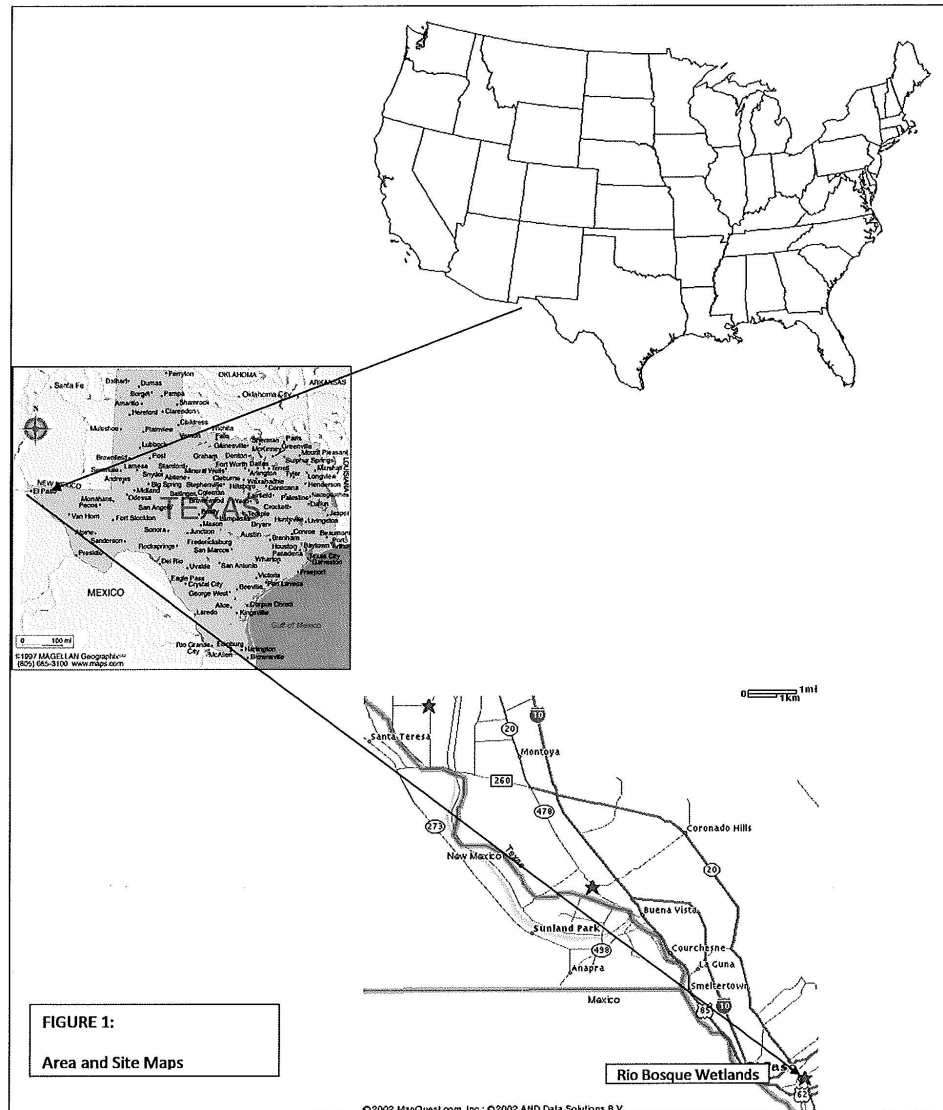
Date

I CONCUR

MARK WOLFE
TEXAS STATE HISTORIC
PRESERVATION OFFICER

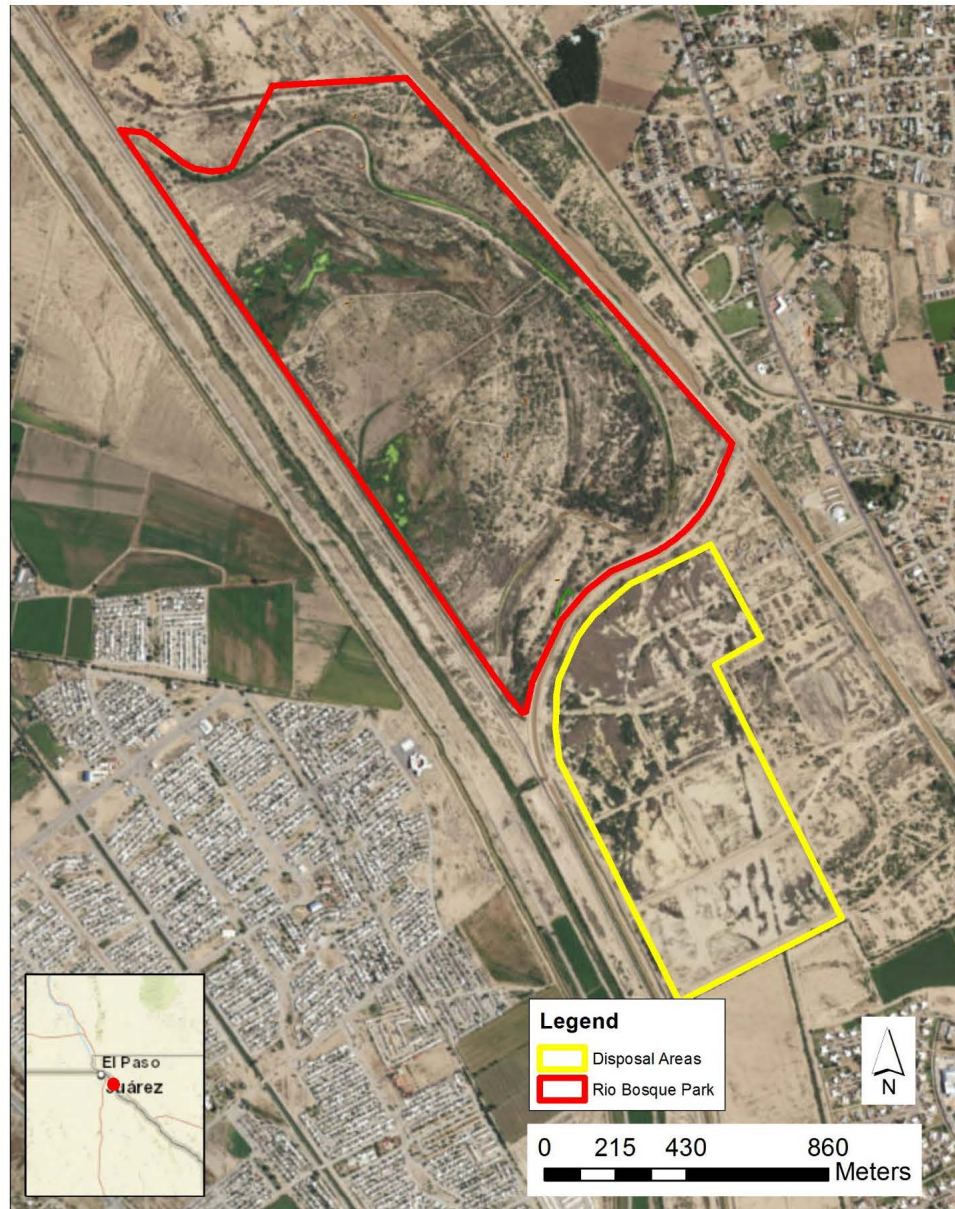
Enclosures

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Enclosure 1. Project location in El Paso.

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Enclosure 2. Project location map showing the closeup of location of the Rio Bosque Wetlands Park.



DEPARTMENT OF THE ARMY
ALBUQUERQUE DISTRICT, CORPS OF ENGINEERS
4101 JEFFERSON PLAZA NE
ALBUQUERQUE NM 87109-3435

October 6, 2017



Planning, Project and Program Management Division
Planning Branch
Environmental Resources Section

Mark Wolfe
State Historic Preservation Officer
Texas Historical Commission
108 W. 16th Street
Austin, TX 78701

CONCUR	
by	<i>Mark Wolfe</i>
for	Mark Wolfe
	State Historic Preservation Officer
Date	11/3/17
Track#	201803400

Dear Mr. Wolfe:

The U.S. Army Corps of Engineers (Corps), Albuquerque District, in conjunction with El Paso Water Utilities (EPWU), is planning an ecosystem restoration project that would protect and enhance the wetlands within the Rio Bosque Wetlands Park, located in El Paso County, TX. The project is located in extreme southeast El Paso, near Mission Trail (Enclosures 1 and 2). Irrigation canals and drains on the east, south and northern sides enclose the Park. The western boundary of the park lies adjacent to the Rio Grande, which forms the international border between the United States and Mexico in this area.

The goal of the proposed project is to restore El Paso Rio Bosque Wetlands Park (Park) to a more natural environment consisting of a mix of native upland, riparian and aquatic environments, including bosque (riparian forest), wetlands, ponds, riparian shrubs, dune and upland habitats. AmaTerra Environmental, Inc. conducted a cultural resources inventory of the Park and encountered four newly-discovered archaeological sites of recent historic age: 41EP7146, 41EP7147, 41EP7148, and 41EP7149. AmaTerra recommended that none of these are eligible for NRHP listing. Your office concurred with their ineligibility, consistent with an overall determination of **no historic properties affected** for the proposed work within the park, on February 22, 2017 (see Enclosure 3).

Since that time, the Corps is now considering using an area adjacent to the Rio Bosque Park to the south as a disposal location for sediment removed from the park by the proposed project (Enclosure 4). The Corps and EPWU estimate that disposal of excess sediment will require approximately 75 acres, and have selected a 163-acre area to allow flexibility in placement of material during construction. The Corps has defined the area of potential effect (APE) for the disposal action to be the 163-acre area shown on the map in Enclosure 4.

The proposed disposal location was previously heavily disturbed and used as the Old Socorro Plant wastewater treatment facility from the 1960s to 1990s. Examination of current and historic aerial photography of the area shows that the area selected for disposal was extensively reworked and modified through the construction of wastewater treatment cells (Enclosures 4 and 5), constructed to depths of four feet or more and involving significant redistribution of surface sediments. Further, the shovel testing and geomorphological study conducted by AmaTerra in the adjacent Rio Bosque Wetlands Park suggest a very low likelihood of pre-20th Century buried materials being present in this portion of the Rio Grande floodplain. Taken

Attachment 3. Concurrence letter from Texas Historical Commission (THC) on disposal areas.



DEPARTMENT OF THE ARMY
ALBUQUERQUE DISTRICT, CORPS OF ENGINEERS
4101 JEFFERSON PLAZA NE
ALBUQUERQUE NM 87109-3435

February 20, 2015

Planning, Project, and Program Management Division
Planning Branch
Environmental Resources Section

Governor Carlos Hisa
Ysleta Del Sur Pueblo
P.O. Box 17579 - Ysleta Station
El Paso, Texas 79917

Dear Governor Hisa:

The U.S. Army Corps of Engineers, Albuquerque District (Corps) in coordination with and at the request of the El Paso Water Utilities (EPWU), El Paso County, Texas, is considering the feasibility of a project that would protect and enhance the Rio Bosque Park (Park) wetlands, which is located in El Paso County, Texas. The project is located in extreme southeast El Paso, near Mission Trail (Figure 1). Irrigation canals and drains on the east, south and northern sides enclose the Park. The western boundary of the Park lies adjacent to the Rio Grande, which forms the international border between the United States and Mexico in this area.

The City acquired ownership of the land where the Park is situated in December 1973 from the Federal government with the stipulation that the property be used for the development of a park. In 1995, the International Boundary Water Commission (IBWC) undertook construction of the American Canal Extension, which serves as the primary means irrigation water is passed through the City to downstream irrigators. To mitigate for the loss of wetlands due to this project, IBWC proposed construction of wetlands at the project site. This effort resulted in the creation of three wetland cells and a water delivery channel covering 183 acres of the 372 acre park (Figure 2).

The goal is to restore the 372 acre Park to a more natural environment consisting of a mix of native upland, riparian and aquatic environments, including *bosque* (riparian forest), wetlands, ponds, riparian shrubs, dune and upland habitats. The current artificial wetlands at the Park consist of seasonally flooded (mid-October to mid-February) open water ponds that primarily benefit migratory and winter-resident waterfowl. Water for these ponds is provided by the adjacent Bustamante Waste Water Treatment Plant, and is only available during the winter non-irrigation season. The EPWU would like to develop a more ecologically diverse, self-sustaining mix of aquatic, riparian, wetland, and upland habitats in this area to provide year-round habitat for a variety of invertebrate, aquatic, and terrestrial species, including avifauna. The sponsor is also interested in using the wetlands as an environmental buffer for the reclaimed water.

The purpose of this scoping letter is to inform you about this proposed project, and to give you the opportunity to provide us with issues, problems and opportunities you may have

Attachment 4. Scoping letter (continued on following page).

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regarding this project. We request any information you may have within the proposed project area or surrounding area, such as existing conditions information, studies, Environmental Assessments (EA), and Environmental Impact Statements. This information will help us determine the scope of issues to be discussed in the EA under the National Environmental Policy Act for this proposed project.

Please provide any written comments by March 20, 2015, to Mrs. Ondrea Hummel, Environmental Resources Section or via email at Ondrea.C.Hummel@usace.army.mil. If you have any questions or require additional information, please contact Mrs. Hummel at (505) 342-3375.

Sincerely,



Julie Alcon
Chief, Environmental Resources Section

Enclosures

Other agencies scoping letter sent to:

Gilbert Anaya, U.S. International Boundary Water Commission
Judy Ackerman, Friends of the Rio Bosque
Beth Bardwell, Audubon New Mexico
Tanya Sommer, U.S. Fish and Wildlife Service
William Hargrove, University of Texas El Paso
Mike Landis, U.S. Bureau of Reclamation
Cesar Mendez, Texas City Parks and Recreation
Tracy Novak, El Paso City Parks and Recreation
John Sproul, University of Texas El Paso
Javier Loera, Lt. Governor of Ysleta del Sur Pueblo



DEPARTMENT OF THE ARMY
ALBUQUERQUE DISTRICT, CORPS OF ENGINEERS
4101 JEFFERSON PLAZA NE
ALBUQUERQUE NM 87109-3435

August 2, 2017

Planning, Project and Program Management Division
Planning Branch
Environmental Resources Division

Honorable «FName» «LName»
«Title», «Tribe»
«Address»
«CityStateZip»

Dear «Title» «LName»:

The U.S. Army Corps of Engineers (Corps), Albuquerque District, in conjunction with El Paso Water Utilities (EPWU), is planning an ecosystem restoration project that would protect and enhance the Rio Bosque Park wetlands which is located in El Paso County, TX. The project is located in extreme southeast El Paso, near Mission Trail (Enclosures 1 and 2). Irrigation canals and drains on the east, south and northern sides enclose the Park. The western boundary of the park lies adjacent to the Rio Grande, which forms the international border between the United States and Mexico in this area.

The City of El Paso acquired ownership of the land where Rio Bosque Park is situated in December 1973 from the Federal government with the stipulation that the property be used for the development of a park. In 1995, the International Boundary Water Commission (IBWC) undertook construction of the American Canal Extension, which serves as the primary means irrigation water is passed through the City to downstream irrigators. To mitigate for the loss of wetlands due to this project, IBWC proposed construction of wetlands at the project site. This effort resulted in the creation of three wetland cells and a water delivery channel several years ago.

The goal of the proposed project is to restore El Paso Rio Bosque Wetlands Park (Park) to a more natural environment consisting of a mix of native upland, riparian and aquatic environments, including bosque (riparian forest), wetlands, ponds, riparian shrubs, dune and upland habitats. The current artificial wetlands at the Park consist of seasonally flooded (mid-October to mid-February) open water ponds that primarily benefit migratory and winter-resident waterfowl. Water for these ponds is provided by the adjacent Bustamante Waste Water Treatment Plant, and is only available during the winter non-irrigation season. EPWU would like to develop a more ecologically diverse, self-sustaining mix of aquatic, riparian, wetland, and upland habitats in this area to provide year-round habitat for a variety of invertebrate, aquatic, and terrestrial species, including avifauna. The sponsor is also interested in using the wetlands as an environmental buffer for the reclaimed water.

Attachment 5. Tribal consultation letter (continued on following page).

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The Corps contracted with AmaTerra Environmental, Inc., to conduct an archaeological survey of the 388 acres within the Rio Bosque park project area. Results of the survey, including both field data and examination of historic imagery and maps, demonstrated that almost all of the project area has been strongly impacted by past fluvial processes such as historic rechanneling of the Rio Grande, and by cultivation and later habitat-reclamation disturbances. As a result, prehistoric sediments (and the potential for prehistoric archaeological materials) are not present within the project area. The survey identified four newly-discovered archaeological sites, all of which of recent historic (Twentieth-century) age: 41EP7146, 41EP7147, 41EP7148, and 41EP7149. Three of these sites are locations of former structures, and the fourth is an extensive Twentieth-century trash dump. The Corps has determined that none of these sites are eligible for NRHP listing, and that the proposed restoration project would therefore have no historic properties affected. No prehistoric sites were identified during the survey.

In addition, an area adjacent to the Rio Bosque Park to the south is currently being considered as a disposal location for sediment removed from the park by the proposed project (Enclosure 3); this area is currently being evaluated pursuant to Section 106. The proposed disposal location was previously heavily disturbed and used as the Old Socorro Plant wastewater treatment facility. No survey has been conducted yet, but any disposal area selected for the proposed project will undergo Section 106 compliance before construction would begin.

In addition to any comments about the cultural aspects of the proposed project, we also welcome comments regarding any concerns you may have regarding the environment such as natural, biological, or cultural resources; wildlife, vegetation, and special status species; air, water, or sound quality; aesthetics; health and safety; Traditional Cultural Properties (TCPs); or Indian Trust Assets that may occur within or adjacent to the proposed project area.

We invite your comment with respect to the proposed undertaking. If you have questions or require additional information on the El Paso Rio Bosque Park Ecosystem Restoration Project, please contact archaeologist Jonathan Van Hoose at (505) 342-3687 or jonathan.e.vanhooose@usace.army.mil, or me at (505) 342-3281. Thank you very much for your attention to this matter.

Sincerely,

George H. MacDonell
Chief, Environmental Resources Section

Enclosures

**Ysleta del Sur Pueblo**Tribal Council – Javier Loera (War Captain/Tribal Historic and Preservation Officer) E-mail jloera@ydsp-nsn.gov

117 South Old Pueblo Road * P.O. Box 17579 * El Paso, Texas 79917 * (915) 859-8053 * Cell (915) 497-3876

March 11, 2015

Mrs. Ondrea Hummel
Environmental Resources Section
Department of the Army
Albuquerque District, Corps of Engineers
4101 Jefferson Plaza NE
Albuquerque, NM 87109-3435

Dear Mrs. Hummel:

This letter is in response to the correspondence received in our office in which you provide the Ysleta del Sur Pueblo the opportunity to comment on the U.S. Army Corps of Engineers, Albuquerque District (Corps) in cooperation with and request of the El Paso Water Utilities (EPWU), El Paso County, Texas on the proposed project that would protect and enhance the Rio Bosque Park (Park) wetlands, which is located in El Paso County, Texas.

While we do not have any comments on the proposed undertaking and believe that this project will not adversely affect traditional, religious or culturally significant sites of our Pueblo and have no opposition to it; we would like to request consultation should any human remains or artifacts unearthed during this project be determined to fall under the Native American Graves Protection and Repatriation Act (NAGPRA) guidelines. Copies of our Pueblo's Cultural Affiliation Position Paper and Consultation Policy are available upon request.

Thank you for allowing us the opportunity to comment on the proposed project.

Sincerely,

Javier Loera
War Captain/Tribal Historic and Preservation Officer
Ysleta del Sur Pueblo
E-mail : jloera@ydsp-nsn.gov

Attachment 6. Response from Ysleta del Sur Pueblo.



White Mountain Apache Tribe

Office of Historic Preservation

PO Box 1032

Fort Apache, AZ 85926

Ph: (928) 338-3033 Fax: (928) 338-6055

To: George H. MacDonell, Army Corps - Chief, Environmental Resource Section

Date: August 25, 2017

Re: Proposed Ecosystem Restoration Project to Protect & Enhance the Rio Bosque Park

.....

The White Mountain Apache Tribe Historic Preservation Office appreciates receiving information on the proposed project, dated August 04, 2017. In regards to this, please attend to the following checked items below.

Please refer to the additional notes in regards to the proposed project:

Thank you for allowing the White Mountain Apache tribe the opportunity to review and respond to the above proposed ecosystem restoration project to protect and restore the Rio Bosque Park wetlands located in El Paso County, Texas. We have determined the proposed project **will not have an impact** on the White Mountain Apache tribe's historic properties and/or traditional cultural properties.

Regardless, any/all ground disturbing activities should be monitored **"if"** there are reasons to believe that there are human remains and/or funerary objects present, and if such remains are encountered they shall be treated with respect and handled accordingly until such remains are repatriated to the affiliated tribe(s).

Thank you. We look forward to continued collaborations in the protection and preservation of places of cultural and historical importance.

Sincerely,

Mark T. Altaha

White Mountain Apache Tribe - THPO

Attachment 7. Response from White Mountain Apache Tribe.

COMANCHE NATION



Albuquerque District, Corps of Engineers
Attn: Mr. Jonathan Van Hoose
4101 Jefferson Plaza NE
New Mexico 87109-3435

September 29, 2017

Re: El Paso Rio Bosque Park Ecosystem Restoration Project

Dear Mr. Van Hoose :

In response to your request, the above reference project has been reviewed by staff of this office to identify areas that may potentially contain prehistoric or historic archeological materials. The location of your project has been cross referenced with the Comanche Nation site files, where an indication of "*No Properties*" have been identified. (IAW 36 CFR 800.4(d)(1)).

Please contact this office at (580) 595-9960/9618) if you require additional information on this project.

This review is performed in order to identify and preserve the Comanche Nation and State cultural heritage, in conjunction with the State Historic Preservation Office.

Regards

Comanche Nation Historic Preservation Office
Theodore E. Villicana ,Technician
#6 SW "D" Avenue , Suite C
Lawton, OK. 73502

COMANCHE NATION P.O. BOX 908 / LAWTON, OK 73502
PHONE: 580-492-4988 TOLL FREE:1-877-492-4988

Attachment 8. Response from Comanche Nation.