

Ch'u'itnu Historic District, Traditional Cultural Property
Name of Property

Kenai Peninsula Borough, Alaska
County and State

Attachment 2

Army Corps of Engineers Determination of Eligibility Regarding a Proposed Traditional Cultural Landscape



DEPARTMENT OF THE ARMY
ALASKA DISTRICT, U.S. ARMY CORPS OF ENGINEERS
REGULATORY DIVISION
P.O. BOX 6898
JBER, AK 99506-0898

JUL 15 2016

Judith E. Bittner
State Historic Preservation Officer
Alaska Department of Natural Resources
Office of History and Archaeology
550 West 7th Avenue, Suite 1310
Anchorage, Alaska 99501-3565

Dear Ms. Bittner:

This letter constitutes the United States Army Corps of Engineers (Corps) determination of eligibility regarding a proposed Traditional Cultural Landscape and is a continuation of consultation under Section 106 of the National Historic Preservation Act (Section 106) regarding historic properties affected by the proposed Chuitna Coal Mine Project. The purpose of this letter is to request the State Historic Preservation Officer's (SHPO) concurrence with the Corps determination of eligibility (DOE) for a Traditional Cultural Landscape (TCL).

The Native Village of Tyonek through the Native American Rights Fund submitted a report titled 'The Ch'u'itnu Traditional Landscape: A District Eligible for the National Register of Historic Places,' by Alan S. Boraas, et al, April 3, 2015 (Report). Within the Report, the authors propose that the entire Ch'u'itnu (Chuitna) watershed is a traditional cultural landscape eligible for listing in the National Register of Historic Places (NRHP).

Review of the Report is part the Corps' Section 106 review process for the proposed Chuitna Coal Mine Section 404 permit application. This DOE constitutes our conclusions on the proposed TCL, as well as the eligibility of the proposed TCL for listing in the National Register of Historic Places.

Our original assessment of the submitted Report concluded there was insufficient information to provide a DOE for a TCL encompassing the entire Chuitna watershed. This finding was coordinated with your office by letter dated February 29, 2016. In addition to the Report, the Corps has reviewed two support documents for the TCL including: 'The Case for a Ch'u'itnu Traditional Landscape, Cook Inlet, Alaska,' by Boraas, et al, 2014 and 'Native Village of Tyonek Alaska Cultural Sites,' Institute of Canine Forensics, 2014. Additional documentation was reviewed, including 'Subsistence and Traditional Knowledge Studies, Subsistence Use Areas, and Traditional Knowledge Study for Tyonek and Beluga, Alaska,' Stephen R. Braund Associates, 2007, as well as National Environmental Policy Act documentation: Draft Supplemental Environmental Impact Statement sections 'Subsistence and Traditional Ecological Knowledge' and 'Cultural Resources.' These documents have been previously provided to your office.

Our letter to your office dated February 29, 2016, also noted the lack of specific guidance for defining TCLs and the patchwork of TCL references throughout the Section 106 regulations. We have developed our DOE beginning with the requirements set forth at 36CFR800.2(c)(2)(ii)(D) which states within the Section 106 process "Federal agencies should be aware that frequently historic properties of religious and cultural significance are located on ancestral, aboriginal, or ceded lands of Indian tribes and Native Hawaiian organizations and should consider that when complying with the procedures in this part." We also consulted National Register Bulletins 38 (Guidelines for Evaluating and Documenting Traditional Cultural Properties) and National Register Bulletin 30 (Guidelines for Evaluating and Documenting Rural Historic Districts).

GEOGRAPHICAL BOUNDARIES OF THE PROPOSED TCL

After review and careful consideration of the evidence presented in aforementioned documentation, we have determined that a portion of the Chuitna watershed constitutes a TCL, as we understand the existing guidance regarding TCLs, and that the geographic boundaries defined below represent the historical practice of the indigenous salmon culture and as such is eligible for inclusion in the National Register of Historic Places. We did not find that the entire Chuitna River watershed constituted a TCL but did find that the geographic boundaries described below which include an area outside of the Chuitna watershed constitute a TCL.

Our review concentrated on the Tubughna Dena'ina salmon culture and the constellation of cultural (archeological) sites, historic sites, cultural practices, subsistence practices, traditional knowledge, and spiritual beliefs that define that culture. We defined a portion of the Chuitna watershed as the TCL. Second Lake is a known location of traditional importance for salmon fishing, and is included within the TCL boundary. Using fish camps and fish weir locations, the upper boundary of the TCL is the upper most freshwater subsistence fishing location. This defines the encompassed lakes and Chuitna from Lone Creek to the mouth at Cook Inlet, approximately nine miles, as the freshwater components of the TCL.

The marine portion of the TCL is bounded on the southwest by Granite Point. The great majority of defined modern fishing for salmon is from Ladd Landing south and southwest to Granite Point bordering Beshta Bay. The mouth of the Chuitna is part of the harvest area. The beach-front fishing locations between Ladd Landing and Granite Point are predominantly beyond the Chuitna watershed but encompass the greatest concentration of marine fishing locations. The entire Chuitna Archeological District (CAD) is included as the northern portion of the TCL. The CAD demonstrates the prehistoric and historic continuum of the traditional salmon culture. The material record of the house sites and salmon cache pits, in addition to contact period and historic resources, are all directly linked to the modern Tyonek people and culture. The presence of human remains associated with prehistoric house sites and marked cemeteries make the CAD a critical part of the TCL.

Geographically, we have defined the TCL for this DOE by the following boundaries (see Figure 1):

- a. The exterior boundaries of Ch'u'itnu Archeological District (CAD)
- b. The shoreline, between Granite Point (latitude 61.011816, longitude -151.340491(NAD84)) and the northeast corner of the CAD (latitude 61.116924, longitude -151.091687), and extending perpendicularly 100 yards inland from the mean lower low water line (MLLWL).
- c. The Chuitna River corridor, from the Cook Inlet to the mouth of Lone Creek (latitude 61.116582, -151.290338), and extending perpendicularly from the ordinary high water mark (OHMW) of its outer banks to 30 yards inland.
- d. The land north of a boundary line linking the shoreline and river corridors, to include Second Lake. This boundary is defined by Tyonek Beach Road south of the Village of Tyonek, then continuing NE along an unnamed logging road to the Chuitna River corridor.

ELIGIBILITY TO THE NATIONAL REGISTER OF HISTORIC PLACES

We evaluated information for Criterion A (36CFR60.4), eligibility to the National Register of Historic Places. Places "That are associated with events that have made a significant contribution to the broad patterns of our history." The TCL defined above has the physical features and beliefs that illustrate the significant theme of salmon culture.

The historic context of the salmon culture represents state and regional level significance of resources. The Cultural Archeological District (CAD) represents the prehistoric aspect of the salmon culture. The sites are significant to the local community for their association with the development of the sedentary maritime adaptation of the Tubughna – Dena'ina culture. The sites in the CAD are also important for their contribution to knowledge of prehistory of the Cook Inlet. Historic sites, both built and archival, detail important contexts (social history) and within the proposed TCL including the development and disruption of a market economy based on salmon fishing, introduction of Russian Orthodox religion, as well the survival of the Dena'ina culture and subsistence throughout these impacts. These contexts are not easily separable from one another, particularly when the religious/spiritual context of the Dena'ina maritime culture (salmon and beluga harvests) is the binding cultural element.

Under Criterion A, the proposed TCL represents "A pattern of events...that made a significant contribution to the development of a community..." The pattern of events that created the proposed TCL include:

- The CAD and its record of prehistoric settlement, salmon subsistence, sedentism, salmon cache pit storage, and ritual life (funerary practices)

- Prehistoric and historic fish camps known ethno-historically and historically along the beach to Beshta Bay (Granite Point on the southern end of the proposed TCL), the Chuitna to the Lone Creek confluence, and the beach north to the CAD
- The establishment of a market economy with commercial salmon fishing, then the salmon cannery within the TCL at Ladd Landing in the late 1890s
- Three locations for the village of Tyonek, moving twice in the 20th century to its present location
- Tyonek Creek, first site of Tyonek Village, association with flu epidemic of 1918
- Ethnographic association with fish camps (many still in use today) as well as traditional methods of utilizing fish weirs, dip nets, and traps prior to modern harvesting methods.
- Association with First Salmon ceremony and Dena'ina mythology intrinsically tied to salmon subsistence
- Modern religious practices (Great Blessing of the Water) and Greek Orthodox Church integrated into traditional Dena'ina spiritual life
- Historic Smith Homestead
- Historic use of First, Second, and Third Lakes for subsistence fishing

This represents a pattern of events that define and bind the Tyonek community with the salmon culture. Collectively they are eligible under Criterion A.

The TCL defined above described here is also eligible under Criteria D. The information potential contained within the prehistoric and historic sites in the area contributes to the study and understanding of the human history of the Tubughna and Dena'ina along the Cook Inlet. The direct physical association with the intact archeological and modern features of the salmon exploitation address Late Prehistoric, contact period, and modern adaptations. The information contained in the proposed TCL makes it possible to reconstruct the development of the integrated historical continuum of the proposed TCL from prehistoric through modern times. The sites within the proposed TCL are clearly related to a single cultural group with historical context for current and future interpretation through archeological and structural remains (NRB 15, p. 22).

Under Criterion D, the proposed TCL represents significance of archeological sites, buildings and objects "That have yielded or may be likely to yield, information important in prehistory or history." The prehistoric sites in the CAD retain integrity. These sites and locations that are within the proposed TCL include:

- The CAD and its record of prehistoric settlement, salmon subsistence, sedentism, salmon cache pit storage, and ritual life (funerary practices)
- Currently identified 68 archeological sites within the proposed TCL, all with potential to yield information important to understanding the prehistory related to the Tubughna – Dena'ina subsistence and adaptations

- Proto-historic and prehistoric development and evolution of house pits (semi-subterranean houses), with associated features (salmon cache pits), as sedentary residences for salmon subsistence
- Historic fish camp locations
- Scattered physical remains of the Ladd Landing cannery and its association with the impacts of a market economy for salmon fishing
- Structural remains of Smith Homestead and Albert Kaloa, Sr. cabin

Within this proposed TCL, this represents a physical record of human habitation and use, within their natural environment that are likely to yield additional information about the Tyonek community with the salmon culture. Collectively they are eligible under Criterion D.

We do not find eligibility under Criteria B. Criterion B, concerning historic properties associated with the lives of significant persons does not apply.

We do not find eligibility under Criteria C. The TCL does not reflect distinctive characteristics of a time period or any method of construction.

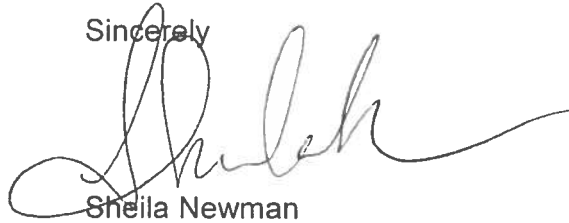
The TCL as defined above retains five aspects of integrity as defined in National Register Bulletin 15 (NRB 15, pp. 44-49). The TCL retains integrity of location, setting, feeling, workmanship, and association. Portions of the TCL do retain material integrity, also (Smith Homestead and Albert Kaloa, Sr. cabin among other possible locations).

The TCL is an extension of the Criterion A eligibility determination for the Chuitna Archeological District (CAD) provided by The Keeper on May 5, 2014 under 36 CFR Part 63. The Keeper noted in that correspondence the CAD may be part of a larger cultural landscape. We have defined the larger landscape. The TCL defined in this DOE encompasses a larger cultural landscape beyond the CAD boundaries, predominantly based on the traditional and continuing practice of the Tyonek salmon culture. The characteristics that make the CAD eligible under Criteria A and D are present in the defined TCL presented here.

We request your concurrence with our determination that the Traditional Cultural Landscape as defined above and depicted on Figure 1 is eligible for listing in the National Register of Historic Places under 36 CFR Part 60.4, Criteria A and D.

If you have any questions, please contact me at the address above, by email at sheila.m.newman@usace.army.mil, by phone at (907) 753-5556, or you may contact Jason Berkner at 753-5778 (email: Jason.r.berkner@usace.army.mil). We look forward to hearing from you.

Sincerely

A handwritten signature in black ink, appearing to read 'Sheila Newman', with a long, sweeping horizontal flourish extending to the right.

Sheila Newman
Chief, Special Actions Branch

Cc:

Charlene Dwin Vaughn, AICP Assistant Director Federal Permitting, Licensing and Assistance Section Office of Federal Agency Programs
Chip Smith, Office of the Assistance Secretary of the Army (Civil Works) Assistant for Environment, Tribal and Regulatory Affairs
Arthur Standifer, President, Native Village of Tyonek
Shina Duvall, State Historic Preservation Office
Joe Lucas, PacRim Coal LP

Ch'u'itnu Historic District, Traditional Cultural Property
Name of Property

Kenai Peninsula Borough, Alaska
County and State

Attachment 3

Native Village of Tyonek Resolution # 2017-03 Supporting the Formal Nomination of the Ch'u'itnu Watershed to the National Register of Historic Places



Resolution # 2017- 03
Council of the Native Village of Tyonek

WHEREAS, the Native Village of Tyonek is a federally recognized Indian tribe chartered under Sections 16 and 17 of the Indian Reorganization Act of June 18, 1934, as amended by the Act of May 1, 1936, extending certain provision of the former Act to Alaska, and under its charter, constitution, and by-laws, has full authority to act in the following:

WHEREAS, the Native Village of Tyonek, and IRA Organization is the Tribal authority for Tyonek, and is recognized in the Federal Register; and

WHEREAS, the Tyonek IRA Council is authorized to contract with the Bureau of Indian Affairs (BIA) programs under the Indian Education and Self-determination Act; and;

WHEREAS, the Ch'u'itnu Watershed and adjacent areas comprise the traditional cultural landscape that is of vital importance to the Tyonek Dina'ina Athabascan (Tebughna) people, the residents of the Native Village of Tyonek, in maintaining our centuries-old, subsistence lifeways and cultural values, and the health of the natural environment upon which we depend; and

WHEREAS, for countless generations, our people have lived within the Ch'u'itnu Watershed, hunted, fished, and traded within this untrammled landscape, survived and thrived upon the resources and food it has provided, the clean water and pristine wilderness; and

WHEREAS, the significance of the Ch'u'itnu Watershed transcends the physical, for it animates our way of life, our way of thinking, our spiritual and religious beliefs, and our relationship with the world; and

WHEREAS, our way of life, our identity, and the Ch'u'itnu Watershed are under threat of despoliation from the encroachment of future development; and

WHEREAS, we have concluded that in order to ensure that direct impacts of potential future development are considered by potential developers, we must demonstrate the significance of this sacred landscape; and

WHEREAS, we have concluded that nominating the Ch'u'itnu Watershed for inclusion on the National Register of Historic Places is the best path to protect this vital landscape and to demonstrate its cultural, spiritual, historic, and ecological importance; and

WHEREAS, the Native Village of Tyonek has prepared the necessary paperwork, to formally nominate the Ch'u'itnu Watershed to the National Register of Historic Places, for submission to the Alaska State Historic Preservation Officer and National Park Service; and

THEREFORE, BE IT RESOLVED, the Native Village of Tyonek supports the formal nomination of the Ch'u'itnu Watershed to the National Register of Historic Places, and urges that it be speedily accepted.

CERTIFICATION

This will certify that the foregoing Resolution was approved at a meeting held on the 11 day of January, 2017, at which a quorum of Council members were in attendance.

For	<u>5</u>
Against	<u>0</u>
Abstain	<u>0</u>
Present	<u>6</u>
Absent	<u>0</u>

Arthur Standifer 1-12-17
Arthur Standifer, President

Janelle Baker
Janelle Baker, Secretary/Treasurer