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September 12, 2024

SENT VIA EMAIL

(michael.mcguirt@parks.ca.gov)

Mr. Michael McGuirt
California Historical Resources Information System
Office of Historic Preservation
1725 23rd Street, Suite 100
Sacramento, CA 95816

RE: CHRIS Use Agreement for Far Western Anthropological Research Group, Inc. and Reddy Anthropology Consulting

Dear Mr. McGuirt:

This letter is a follow-up to the letter I sent you on April 14, 2024, regarding cultural resource reports resulting from cultural and natural resource compliance activities for a new dam in Santa Clara County referred to as the Pacheco Reservoir Expansion Project. My initial letter inquired about the unavailability of two reports cited in Draft Environmental Impact Report published in November 2021. Since that time, the lead agency, Santa Clara Valley Water District, has published an additional environmental document associated with the project, an Initial Study and Mitigated Negative Declaration (June 2024). This second environmental document cited an additional two reports, for a total of five technical reports:

- *Archaeological Survey Report: Giovanotto, Jin, Lawler, Moitozo, Pacheco Pass Water District, Upper Quinto, and Verdegaal Properties - Pacheco Reservoir Expansion Project, Santa Clara County, California.* Eric Wohlgemuth and Brian F. Byrd. August 2020.
- 2023 addendum to above report.
- *Ethnographic Study Part I: Ethnographic Background and Archival Research – Pacheco Reservoir Expansion Project, Santa Clara County, California.* Seetha N. Reddy. September 2021.
- Byrd, Brian, John Berg, Eric Wohlgemuth, and Laurel Engbring. 2024. *Archaeological Testing Results for the Pacheco Reservoir Expansion Project, Santa Clara County, California.* Far Western Anthropological Research Group, Inc., Davis, California, on behalf of Valley Water.

- Engbring, Laurel and Brian Byrd, 2023. *Addendum Archaeological Survey Report: Expanded APE and PG& Expanded APE for the Pacheco Reservoir Expansion Project*. Far Western Anthropological Research Group, Inc., Davis, California, on behalf of Valley Water.

Our cultural resource consultant, Dr. Christopher Dore of Heritage Business International (Access and Use Agreement Number 287), attempted to obtain the first three reports on January 4, 2024 (NWIC File #23-0926) and all the reports on July 8, 2024 (NWIC File# 24-0018). The first file search resulted in an email to Dr. Dore from Mr. Rene Rodriguez stating that “I have double checked our database and there are still no results that match the documents you have requested. I have a feeling that they have not been turned in, however I do know that there is a backlog of reports waiting to be processed.” The second record search was done to obtain copies of the last two reports and also to allow sufficient time to process the first three reports, had they been submitted and were in a processing queue. In an email to Dr. Dore on September 10, 2024, Mr. Bryan Much reported that “Based on the review of our files, it does not appear we have the documents referenced in your request.”

Thus, I can only conclude that the five reports referenced above were never submitted to the Northwest Information Center. This is in violation of the CHRIS Information Access and Use Agreement Section 6(E), which requires that any written report shall be submitted to the information centers within sixty days of report creation, when these reports are based on CHRIS data. This is necessary for scholarship as well as for transparency in the public environmental compliance process.

I request that, as a result of the violations, the CHRIS Use Agreements for Far Western Anthropological Research Group and Reddy Anthropology Consulting be immediately suspended and not reinstated until they meet CHRIS Information Access and Use Agreement Section 6(E) by turning in the reports as required.

Thank you for your attention to this request.

Very truly yours,

SOLURI MESERVE
A Law Corporation

By: 
Osha R. Meserve

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cc (via email):

Mr. Jay King, President, Far Western Anthropological Research Group, Inc.
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Dr. Seetha Reddy, President, Reddy Anthropology Consulting
(reddyanthropology@gmail.com)

Mr. Bryan Much, Coordinator, Northwest Information Center
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