

WAC 197-11-960 Environmental checklist.

ENVIRONMENTAL CHECKLIST

Purpose of checklist:

The State Environmental Policy Act (SEPA), chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Use of checklist for nonproject proposals:

Complete this checklist for nonproject proposals, even though questions may be answered "does not apply." IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D).

For nonproject actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

A. BACKGROUND

1. Name of proposed project, if applicable:

Spokane River Metals Remediation Project: Islands Lagoon

2. Name of applicant: **Washington Department of Ecology**

3. Address and phone number of applicant and contact person:

Contact: **Dave George**

Washington Department of Ecology

Toxics Cleanup Program

4601 North Monroe

Spokane, WA 99205

509/329-3520

e-mail: cgeo461@ecy.wa.gov

4. Date checklist prepared: **March 8, 2012**

5. Agency requesting checklist: **Washington Department of Ecology**

6. Proposed timing or schedule (including phasing, if applicable): **Late summer 2012**

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

No.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

Record of Decision – The Bunker Hill Mining and Metallurgical Complex, Operable Unit 3. U.S. Environmental Protection Agency, September 2002. Overall cleanup decision document governing all four Spokane River shoreline sites.

Sampling and Testing Report – Islands Lagoon Shoreline Area, Washington Department of Ecology, December 2006. Surface soil metals sampling results.

90% Draft Remedial Design Work Plans prepared by GeoEngineers – Spokane River Metals Sites: Islands Lagoon.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

Joint Aquatic Resources Permit application (JARPA) has been submitted to the U.S. Army Corps of Engineers (USACE) for approval under the Nationwide 38 permit program.

Substantive requirements project review process will be conducted with the appropriate state and local agencies to ensure substantive compliance with applicable state and local regulations. Agencies consulted are expected to include Washington Department of Fish & Wildlife (WDFW), Washington Department of Natural Resources, Spokane County (shorelines), and City of Spokane Valley (shorelines).

Compliance with cultural resources protection laws, regulations, and policies as determined by the appropriate agency or organization. This includes correspondence with Washington State Department of Historic Preservation (DAHP), Spokane Tribe of Indians and Coeur d'Alene Tribe of Indians, and the Colville Confederated Tribes.

10. List any government approvals or permits that will be needed for your proposal, if known.

The only formal permit required for these projects will be the Nationwide 38 issued by the USACE.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

Project Description – The primary goal of the project is isolation of the contaminants. An approximate 1-foot maximum thickness gravel cover will be constructed over approximately 1/4 acre of the shoreline area. A 1/3rd foot thick layer of filter rock will be incorporated into the lower portion of the cover, to prevent loss of underlying fine-grained sediment. There is a small drop in grade just above the low water line of the river pool, near the center of the planned cover area, where the water has eroded a nearly vertical bank. A line of boulders will be anchored along, and incorporated into, this face to prevent on-going erosion and to increase recreational user safety.

Approximate Project Area – 1/4 acre

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

See vicinity map (Attachment A) and individual site location maps (Attachment B) for all sites.

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B. ENVIRONMENTAL ELEMENTS

1. Earth

- a. General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountainous, other

Spokane River shoreline areas

- b. What is the steepest slope on the site (approximate percent slope)?

20-30% on cut banks

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EVALUATION FOR
AGENCY USE ONLY

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.

Sand, gravel, cobble, and some boulders

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

On cut banks

- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.

All fill materials will be natural gravels with the exception of 3-foot diameter boulders used for bank stabilization. The purpose of the fill materials is to isolate and contain the native shoreline soils and sediments containing elevated levels of heavy metals. Local sources for all fill material will be used. Approximately 300 cubic yards of fill will be used.

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

No. Care has been taken during design development and will be taken during construction to minimize disturbance to existing vegetation outside the cover footprint. In all cases where material is being moved, care will be taken to implement appropriate erosion control measures. One of the primary purposes of the cover is to prevent on-going erosion of the existing shoreline.

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

0%

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

Long term erosion control and isolation of existing shoreline soils is one of the project goals. Construction erosion best management practices will be employed as appropriate for erosion control.

a. **Air**

a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.

Dust from truck and vehicle traffic and internal combustion engine emissions from equipment and vehicle operation.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

No.

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

Watering of roadways and other areas, as appropriate, to minimize dust emissions.

3. **Water**

a. Surface:

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

Spokane River

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

Yes. See project descriptions as provided. The majority of the capping and bank stabilization work will occur within 200 feet of the Spokane River shoreline.

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

No wetlands are located within the project area. Fill materials will be placed on the shoreline for capping and/or bank stabilization purposes. Estimated volume of fill to be placed is included above.

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

No.

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

Yes. See attachment for project location.

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No.

b. Ground:

- 1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.

No.

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

None.

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c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Stormwater only – across natural, vegetated surfaces as currently found on-site.

- 2) Could waste materials enter ground or surface waters? If so, generally describe.

Stormwater BMPs (i.e. silt fence) will be implemented as appropriate, as previously indicated.

d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:

Same.

4. Plants

a. Check or circle types of vegetation found on the site:

- deciduous tree: alder, maple, aspen, other
- evergreen tree: fir, cedar, pine, other
- shrubs
- grass
- pasture
- crop or grain
- wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- water plants: water lily, eelgrass, milfoil, other
- other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

No vegetation removal or alteration is planned.

c. List threatened or endangered species known to be on or near the site.

A biological evaluation was performed by the U.S. Army Corps of Engineers in 2005 for the Starr Road remediation project. Starr Road is located approximately 7 miles upstream from Islands Lagoon. This evaluation determined that the project would have no effect on the following species that may exist within the vicinity of the project site:

Grizzly Bear (Ursus arctos horribillis)
Gray Wolf (Canus lupus)
Canada Lynx (Lynx Canadensis)
Bald Eagle (Haliaeetus leucocephalus)
Water Howellia (Howellia aquatilis)
Ute ladies'-tresses (Spiranthes diluvialis)

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

No plantings are planned; however, care has been taken during design development and will be taken during construction to minimize disturbance to existing vegetation outside the excavation/gravel cover footprint.

5. Animals

- a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site:

birds: **hawk**, heron, **eagle**, **songbirds**, other:
mammals: **deer**, bear, elk, **beaver**, other:
fish: bass, salmon, **trout**, herring, shellfish, other:

- b. List any threatened or endangered species known to be on or near the site.

See above.

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- c. Is the site part of a migration route? If so, explain.

Unknown; however, activities will take place in summer to late summer.

- d. Proposed measures to preserve or enhance wildlife, if any:

Construction of clean gravel covers will isolate contaminated sediments reducing exposure of wildlife.

6. Energy and natural resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Diesel and gasoline for onsite construction equipment.

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

No

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

None

7. Environmental health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

There is potential for exposure of workers to heavy metals in surface soils. Contractor will be required to be HAZWOPER trained and to develop a construction Health and Safety Plan prior to beginning work. Contractor will be required to develop appropriate spill prevention and preparedness measures prior to construction.

- 1) Describe special emergency services that might be required.

None

- 2) Proposed measures to reduce or control environmental health hazards, if any:

Measures to avoid ingestion of onsite soils. Watering or other dust suppression as necessary to minimize wind-blown dust.

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

Existing traffic noise at most sites.

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

Construction equipment noise on a short term basis (1 -2 weeks) during daylight hours. It is anticipated that construction will occur 8-10 hours per day 5-6 days per week.

3) Proposed measures to reduce or control noise impacts, if any:

N/A other than short project duration.

8. Land and shoreline use

a. What is the current use of the site and adjacent properties?

Publicly owned natural shoreline area.

b. Has the site been used for agriculture? If so, describe.

No.

c. Describe any structures on the site.

None.

d. Will any structures be demolished? If so, what?

No.

e. What is the current zoning classification of the site?

Rural Conservation and/or Urban Reserve

f. What is the current comprehensive plan designation of the site?

Rural Pastoral and/or Conservancy

g. If applicable, what is the current shoreline master program designation of the site?

Rural Pastoral and/or Conservancy

h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

Unknown.

i. Approximately how many people would reside or work in the completed project?

None. Site is for public recreational use.

j. Approximately how many people would the completed project displace?

None.

k. Proposed measures to avoid or reduce displacement impacts, if any:

None.

1. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

The purpose of the project is to protect human health and the environment by isolating contaminated shoreline sediments. The resulting impact of the project work will be to enhance the recreational value of this public open space.

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

None.

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

None.

- c. Proposed measures to reduce or control housing impacts, if any:

None.

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

No structures will be built.

- b. What views in the immediate vicinity would be altered or obstructed?

None.

- c. Proposed measures to reduce or control aesthetic impacts, if any:

None.

11. Light and glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

None.

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

No.

c. What existing off-site sources of light or glare may affect your proposal?

None.

d. Proposed measures to reduce or control light and glare impacts, if any:

None.

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12. Recreation

a. What designated and informal recreational opportunities are in the immediate vicinity?

The project location is public open space located along the shoreline of the Spokane River. It is currently used by the public for many forms of outdoor recreation, including hiking, swimming, fishing, etc.

b. Would the proposed project displace any existing recreational uses? If so, describe.

No.

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

During construction, the site will be closed to all users for safety reasons. The work will be visible from portions of the Centennial Trail. Due to the proximity to the Centennial Trail, use of flaggers and/or temporary closure of short sections of the trail may be necessary. The long-term impact of the project will be enhancement of recreational use at this location.

13. Historic and cultural preservation

a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.

A Cultural Resource Survey has been performed by independent, licensed archaeological contractor. Design of the remediation work has been tailored carefully to avoid identified cultural resources. In addition to the Cultural Resource Survey, Ecology has developed a Cultural Resource Monitoring Plan for use during construction to guide the response process in the event that cultural resources are discovered. This plan is included as Attachment C to this SEPA checklist.

b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.

The Cultural Resource Survey indicated that the cleanup project could be carried forward in a manner that would minimize possible impacts to cultural resources. A qualified cultural resource professional will be on-site during construction activities.

c. Proposed measures to reduce or control impacts, if any:

Avoidance and active on-site surveying by qualified cultural resource professional – see above.

14. Transportation

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.

Planned access will be via either the Centennial Trail to Trent Avenue or Upriver Drive, or via neighboring construction and industrial sites to Trent Avenue.

- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

No.

- c. How many parking spaces would the completed project have? How many would the project eliminate?

None.

- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).

No.

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- e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

No.

- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

None.

- g. Proposed measures to reduce or control transportation impacts, if any:

None.

15. Public services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

No.

- b. Proposed measures to reduce or control direct impacts on public services, if any.

None.

16. Utilities

- a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.

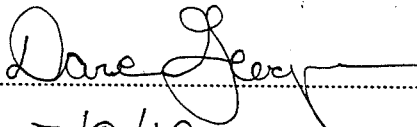
None.

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

None – all project utility needs will be temporary.

C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: 

Date Submitted: 3/8/12

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(do not use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

Proposed measures to avoid or reduce such increases are:

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

3. How would the proposal be likely to deplete energy or natural resources?

Proposed measures to protect or conserve energy and natural resources are:

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

Proposed measures to protect such resources or to avoid or reduce impacts are:

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

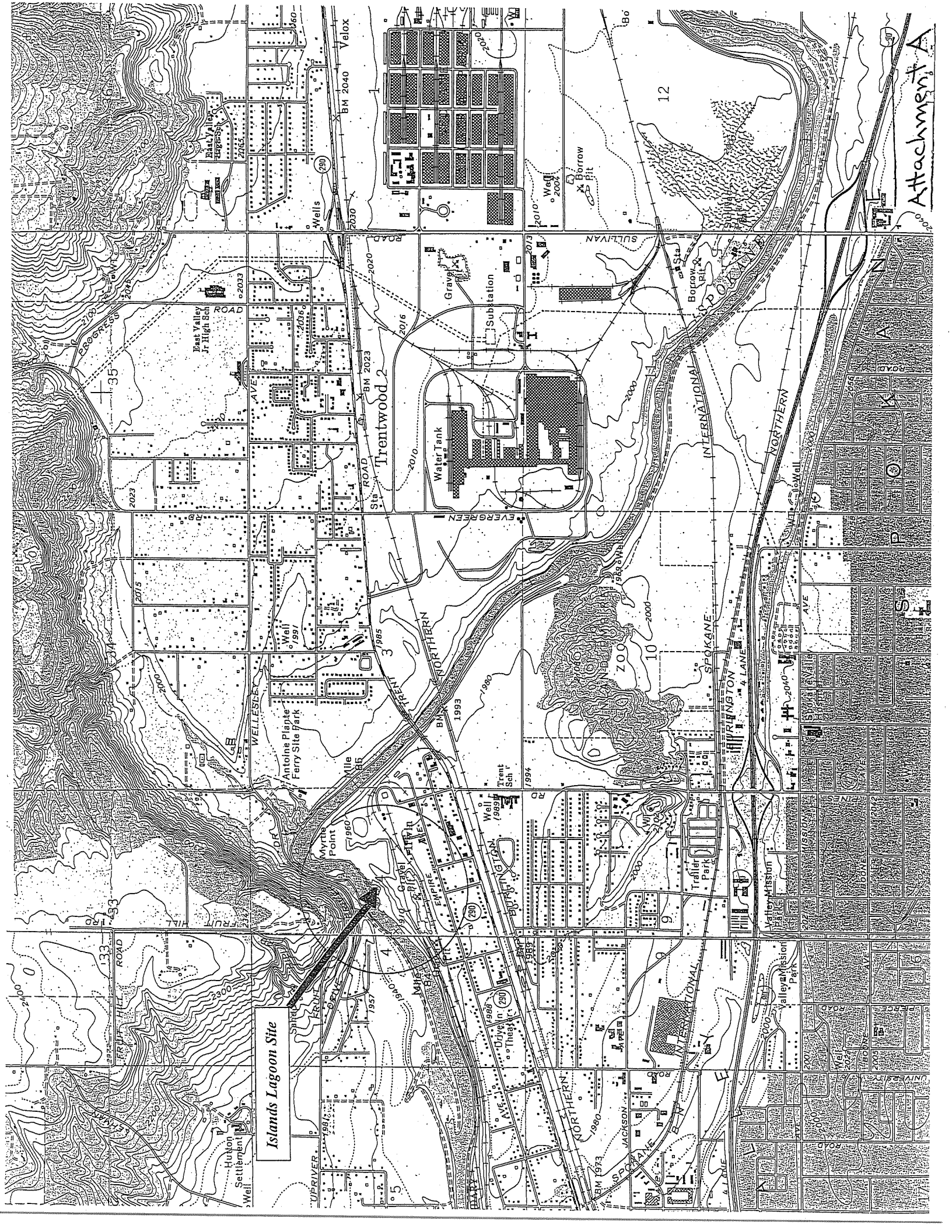
Proposed measures to avoid or reduce shoreline and land use impacts are:

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

Proposed measures to reduce or respond to such demand(s) are:

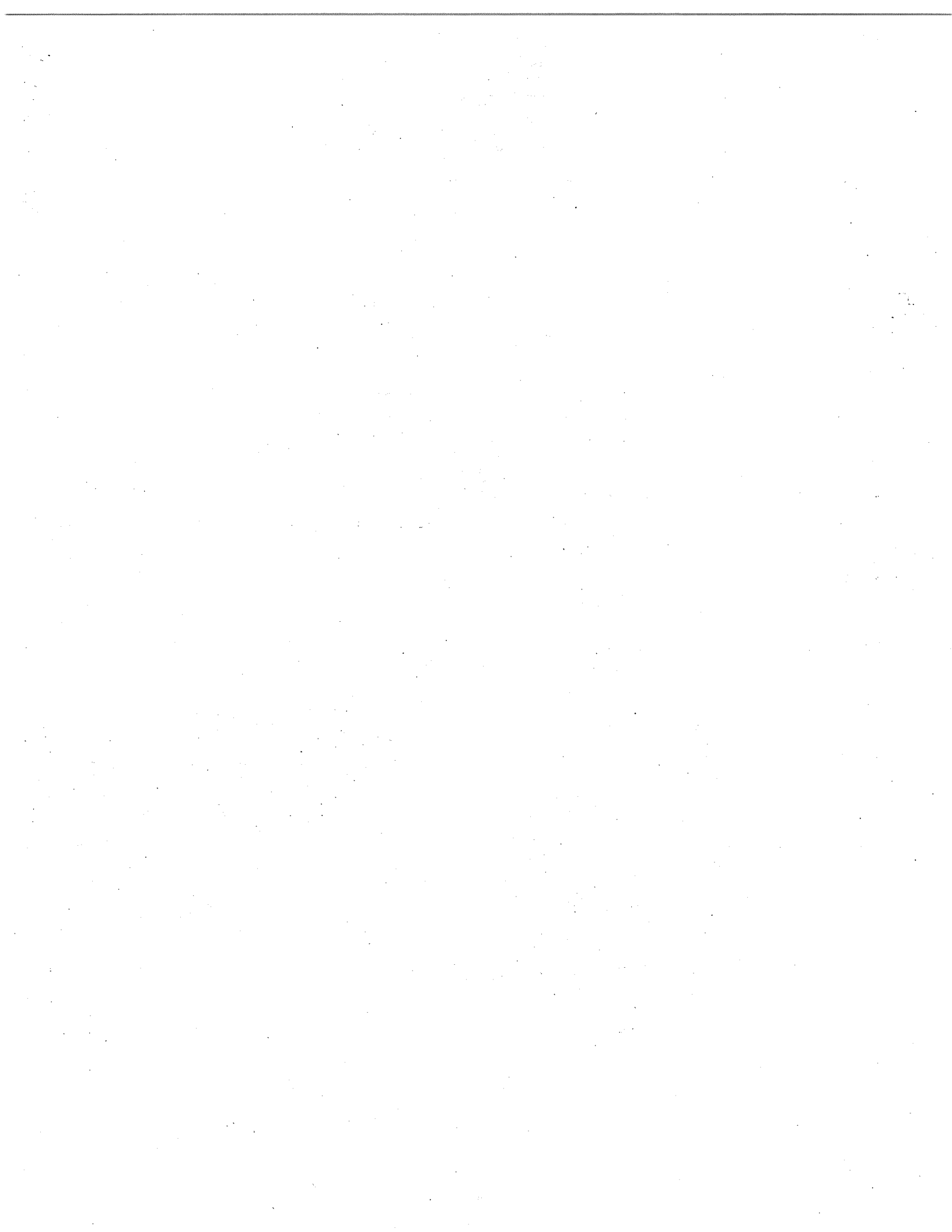
7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.





Islands Lagoon Site

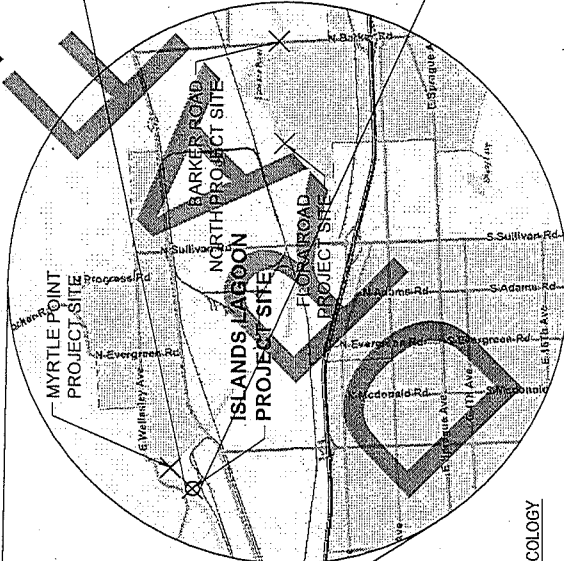
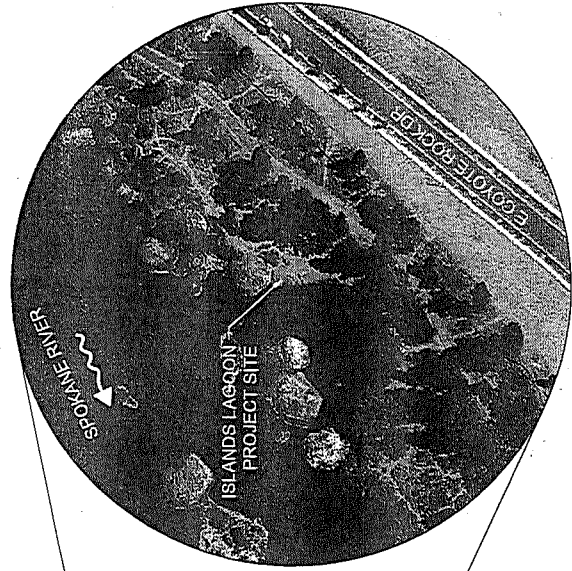
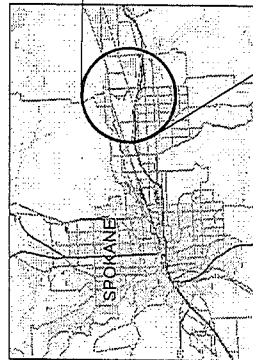
Attachment A



SPOKANE RIVER BEACH CLEANUP SITES

ISLANDS LAGOON PROJECT SITE

CONSTRUCTION DRAWINGS



SHEET	SHEET TITLE
1	COVER SHEET
2	SITE ACCESS MAP
3	SITE PLAN
4.1	TYPICAL SECTION A
4.2	TYPICAL SECTION B
5.1	GENERAL NOTES
5.2	GENERAL NOTES

CONTACT INFORMATION

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Reference: Data maps obtained from ESRI. Aerial images obtained from Google Earth.

Revision No.	Date	Description	Initials	Designed: JJF	Drawn: MGF	Checked: JRS	Date: 02/09/12	Project No. 0504-072-00

GEOENGINEERS
 523 East Second Avenue
 Spokane, Washington 99202

Spokane River-Islands Lagoon
 Spokane Valley, Washington
 Washington State
 Department of Ecology

Cover Sheet
 Islands Lagoon Beach Cleanup
 Construction Drawings

Sheet
1

Attachment B

1871



Cultural Resource Monitoring Plan:
Spokane River Metals Sites:
Myrtle Point
Islands Lagoon
Flora Road

Washington Department of Ecology
Toxics Cleanup Program

February 2012

1. Introduction

The WA Department of Ecology (Ecology) is pursuing cleanup at a series of shoreline locations along the Spokane River. The shoreline soils are contaminated with heavy metals including lead and arsenic as a result of historical mining activities upstream in the Coeur d'Alene basin. Myrtle Point and Islands Lagoon are two sites planned for initial remedial work during the summer of 2012. Cleanup work at these two sites may include limited hand excavation for root ball pockets for small native plants at Myrtle Point and limited re-shaping of a continually eroding one-foot vertical sediment face at Islands Lagoon. No material is anticipated to be removed from the sites. Remedial actions were completed at the Flora Road site in 2009. Those actions included capping only; no excavation was conducted. The cap was subsequently damaged during sustained high river flows in May 2011. Projected repair work at the Flora site may include excavation and capping. The timeframe for that work is unclear (funding dependent), but may occur as early as summer 2012. The potential for excavation work at these three sites is the primary focus of this plan.

Ecology has the responsibility to comply with federal, state, and tribal laws as they apply to the proposed actions at the identified sites. Sites which contain artifacts or human remains are protected by law, and public release of information about these sites can lead to damage or vandalism to the sites. It is extremely important that all Ecology personnel and personnel under the Contractor's supervision comply with the terms of this plan.

2. Cultural Resource Monitoring at the Myrtle Point, Islands Lagoon, and Flora Road sites

During preliminary design and permitting work, Ecology contracted with Plateau Archaeological Investigations (Plateau), a professional archaeological services firm meeting the Department of Interior's (DOI) guidelines¹, to complete a cultural resources survey of the subject sites. This survey and accompanying report were completed during the fall of 2006 and winter of 2007 respectively². The report identified both the Myrtle Point and Islands Lagoon sites as having the potential for disturbance of cultural resources, dependent upon equipment used for, and the implementation of, the remedial actions. In addition, the initial assessment of the proposals by the U.S. Army Corps of Engineers (Corps), under the Joint Aquatics Resources Permit Application, recommended that a cultural resources monitoring plan be included to address potential ground disturbance.

No Native American cultural material or features were documented in the report for the Flora Road site, nor was further cultural resources monitoring recommended. However, that original determination was based in part on the remedy selection implemented: capping only. Both excavation and capping are now being considered for the repair work at Flora Road. Because of

¹ *National Register*, September 29, 1983, pp. 44716-44742

² *Toxics Cleanup Program – Spokane River Metals Sites Project Cultural Resource Survey Spokane County, Washington*, Plateau Archaeological Investigations, LLC, January 2007.

the excavation component, it seems prudent to include cultural resource monitoring options for Flora Road. This approach is aligned with the Plateau recommendations and the review comments provided by the Corps for those sites with the potential for site disturbance (excavation). For example, because Ecology's selected remedy for cleanup at the Harvard Road North site (previously completed) included excavation, Plateau recommended that the excavation work be monitored by a professional archaeologist meeting the DOI guidelines. Compliance with this recommendation was also a condition for project approval received via letter from the Washington Department of Archaeology and Historic Preservation (DAHP) on April 30, 2007.

In accordance with the preceding information, Ecology will contract with a professional archaeologist meeting the DOI guidelines to perform site monitoring during remedial action implementation at the Myrtle Point, Islands Lagoon, and Flora Road sites. The archaeologist will be onsite during all excavation work, ensure compliance with applicable federal, state, and tribal laws with respect to cultural resources, and issue a final report upon project completion.

3. Cultural Resources Protocol

The following protocol will apply to all work by the remedial contractor during the cleanup at the Myrtle Point, Islands Lagoon, and Flora Road sites.

Human remains, including marked and unmarked graves of any age, need to be treated in a respectful manner and according to laws, ordinances, and regulations.

The term "artifacts" means any evidence of the activities or presence of past peoples and includes, without limitation, arrowheads, grinding stones, buildings over 50 years old, old bottles, old farm equipment, teepee rings, etc.

Compliance with this protocol is a contractual requirement. Violation of the protocol could result in contract termination or criminal or civil penalties.

Inadvertent Discovery of Human Skeletal Remains on Non-Federal and Non-Tribal Land in the State of Washington (RCWs 68.50.645, 27.44.055, and 68.60.055)

If ground disturbing activities encounter human skeletal remains during the course of construction, then all activity **must** cease that may cause further disturbance to those remains and the area of the find must be secured and protected from further disturbance. In addition, the finding of human skeletal remains **must** be reported to the county medical examiner/coroner **and** local law enforcement in the most expeditious manner possible. The remains should not be touched, moved, or further disturbed.

The county medical examiner/coroner will assume jurisdiction over the human skeletal remains and make a determination of whether those remains are forensic or non-forensic. If the county coroner determines the remains are non-forensic, then they will report that finding to the

Department of Archaeology and Historic Preservation (DAHP) who will then take jurisdiction over the remains and report them to the appropriate cemeteries and affected tribes. The State Physical Anthropologist will make a determination of whether the remains are Indian or Non-Indian and report that finding to any appropriate cemeteries and the affected tribes. The DAHP will then handle all consultation with the affected parties as to the future preservation, excavation, and disposition of the remains.

In the event the suspected human remains require transfer to the State Physical Anthropologist for further evaluation, the remains will be transported in person. Chain of custody procedures will be followed to insure the integrity of the remains and their transport.

Artifacts

Cultural resource locations (sites) are protected by law and public release of information about sites can lead to their being damaged. If you encounter artifacts, for example, stone tools, historic materials, etc.:

- 1) Do not pick them up or excavate them.
- 2) Do not photograph them in any manner.
- 3) Mark their location on a map when possible.
- 4) Immediately call the onsite archaeologist and the Project Manager. Immediately stop work until further notice to proceed is given by the Project Manager as advised by the archaeologist.
- 5) Confidentiality must be maintained regarding any artifacts, archaeological sites, or historic information.