

## **PLAN AND PROCEDURES FOR THE UNANTICIPATED DISCOVERY OF CULTURAL RESOURCES AND HUMAN SKELETAL REMAINS<sup>1</sup>**

PROJECT TITLE: Circle K 1461 Cleanup Site

COUNTY WASHINGTON: King

Section, Township, Range: Section: 21E, Township: 25, Range: 04

### **1. INTRODUCTION**

The following Inadvertent Discovery Plan (IDP) outlines procedures to perform in the event of discovering archaeological materials or human remains, in accordance with state and federal laws.

### **2. RECOGNIZING CULTURAL RESOURCES**

A cultural resource discovery could be prehistoric or historic. Examples include:

- a. An accumulation of shell, burned rocks, or other food related materials.
- b. Bones or small pieces of bone.
- c. An area of charcoal or very dark stained soil with artifacts.
- d. Stone tools or waste flakes (i.e. an arrowhead. or stone chips).
- e. Clusters of tin cans or bottles, logging or agricultural equipment that appears to be older than 50 years.
- f. Buried railroad tracks, decking, or other industrial materials.

When in doubt, assume the material is a cultural resource.

### **3. ON-SITE RESPONSIBILITIES**

**STEP 1: *Stop Work.*** If any employee, contractor or subcontractor believes that he or she has uncovered a cultural resource at any point in the project, all work must stop immediately. Notify the appropriate party(s). Leave the surrounding area untouched, and provide a demarcation adequate to provide the total security, protection, and integrity of the discovery. The discovery location must be secured at all times by a temporary fence or other onsite security.

**STEP 2: *Notify Archaeological Monitor or Licensed Archaeologist.*** If there is an Archaeological Monitor for the project, notify that person. If there is a monitoring plan in place, the monitor will follow the outlined procedure.

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<sup>1</sup> If you need this document in a format for the visually impaired, call Water Quality Reception at Ecology, (360) 407-6600. Persons with hearing loss can call 711 for Washington Relay Service. Persons with a speech disability can call 877-833-6341.

STEP 3: *Notify the Project Manager* of this project and contact the Ecology Staff Project Manager, or other applicable contacts:

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| Project Manager:<br>Name: Dale Myers<br>Phone: (425) 649-4446<br>Email: Dale.Myers@ecy.wa.gov | Ecology Staff Project Manager<br>Name: Dale Myers<br>Phone: (425) 649-4446<br>Email: Dale.Myers@ecy.wa.gov |
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**Assigned Alternates:**

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|---|--|
| Assigned Project Manager Alternate:<br>Name: Louise Bardy<br>Phone: (425) 649-7209<br>Email: LBAR461@ecy.wa.gov | Ecology Cultural Resource Specialist<br>(Alternate):<br>Name: Donna Podger<br>Phone: (360) 407-7016<br>email: dpod461@ecy.wa.gov |
|---|--|

The Project Manager or applicable staff will make all calls and necessary notifications. **If human remains are encountered**, treat them with dignity and respect at all times. Cover the remains with a tarp or other materials (not soil or rocks) for temporary protection and to shield them from being photographed. **Do not call 911 or speak with the media. Do not take pictures unless directed to do so by DAHP. See Section 5.**

**4. FURTHER CONTACTS AND CONSULTATION**

**A. Project Manager’s Responsibilities:**

- *Protect Find:* The Project Manager is responsible for taking appropriate steps to protect the discovery site. All work will stop immediately in a surrounding area adequate to provide for the complete security of location, protection, and integrity of the resource. Vehicles, equipment, and unauthorized personnel will not be permitted to traverse the discovery site. Work in the immediate area will not resume until treatment of the discovery has been completed following provisions for treating archaeological/cultural material as set forth in this document.
- *Direct Construction Elsewhere on-Site:* The Project Manager may direct construction away from cultural resources to work in other areas prior to contacting the concerned parties.
- *Contact Senior Staff:* If the Senior Staff person has not yet been contacted, the Project Manager must do so.

**B. Senior Staff Responsibilities:**

- *Identify Find:* The Senior Staff (or a delegated Cultural Resource Specialist), will ensure that a qualified professional archaeologist examines the area to determine if there is an archaeological find.

- If it is determined not to be of archaeological, historical, or human remains, work may proceed with no further delay.
  - If it is determined to be an archaeological find, the Senior Staff or Cultural Resource Specialist will continue with all notifications.
  - If the find may be human remains or funerary objects, the Senior Staff or Cultural Resource Specialist will ensure that a qualified physical anthropologist examines the find. **If it is determined to be human remains, the procedure described in Section 5 will be followed.**
- *Notify DAHP:* The Senior Staff (or a delegated Cultural Resource Specialist) will contact the involved federal agencies (if any) and the Washington Department of Archaeology and Historic Preservation (DAHP).
  - *Notify Tribes:* If the discovery may be of interest to Native American Tribes, the DAHP and Ecology Supervisor or Coordinator will coordinate with the interested and/or affected tribes.

### General Contacts

#### Federal Agencies:

#### State Agencies:

|  |   |
|--|---|
| Agency: Not applicable<br>Name<br>Title<br>Number<br>Email | Agency:<br>Name<br>Title<br>Number<br>Email |
|--|---|

#### Department of Archaeology and Historic Preservation:

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|--|--|
| Dr. Allyson Brooks<br>State Historic Preservation Officer<br>360-586-3066<br>Assigned Alternate: | Rob Whitlam, Ph.D.<br>Staff Archaeologist<br>360-586-3050<br>Assigned Alternate: |
|--|--|

The DAHP or appropriate Ecology Staff will contact the interested and affected Tribes for a specific project.

Tribes consulted on this project are:

|                                       |  |
|---------------------------------------|--|
| Tribe Muckleshoot Indian Tribe        | Tribe Snoqualmie Indian Tribe                        |
| Name Laura Murphy                     | Name Steven Mullen-Moses                             |
| Title Archaeologist                   | Title Director Archaeology and Historic Preservation |
| Phone 253-876-3272                    | Phone 425-292-0249 x 2010<br>425-495-6097            |
| Email laura.murphy@muckleshoot.nsn.us | Email steve@snoqualmietribe.us                       |

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| Tribe Snoqualmie Indian Tribe                                  | Tribe Suquamish Tribe                      |
| Name Adam Osbekoff   | Name Dennis Lewarch                        |
| Title Assistant Director Archaeology and Historic Preservation | Title Tribal Historic Preservation Officer |
| Phone 425-292-0249   | Phone 360-394-8529                         |
| Email adam@snoqualmietribe.us                                  | Email dlewarch@Suquamish.nsn.us            |

**Further Activities**

- Archaeological discoveries will be documented as described in Section 6.
- Construction in the discovery area may resume as described in Section 7.

**5. SPECIAL PROCEDURES FOR THE DISCOVERY OF HUMAN SKELETAL MATERIAL**

If ground disturbing activities encounter human skeletal remains during the course of construction, then all activity *will* cease that may cause further disturbance to those remains. The area of the find will be secured and protected from further disturbance until the State provides notice to proceed. The finding of human skeletal remains *will* be reported to the county medical examiner/coroner *and* local law enforcement in the most expeditious manner possible. The remains will 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 medical examiner/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. The DAHP will notify any appropriate cemeteries and all affected tribes of the find. 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.

Any human skeletal remains, regardless of antiquity or ethnic origin, will at all times be treated with dignity and respect. Do not take photographs by any means, unless you are pre-approved to do so.

*If the project occurs on federal lands or receives federal funding (e.g., national forest or park, military reservation) the provisions of the Native American Graves Protection and Repatriation Act of 1990 apply, and the responsible federal agency will follow its provisions. Note that state highways that cross federal lands are on an easement and are not owned by the state.*

If the project occurs on non-federal lands, the Project Manager will comply with applicable state and federal laws, and the following procedure:

**A. In all cases you must notify a law enforcement agency or Medical Examiner/Coroner's Office:**

In addition to the actions described in Sections 3 and 4, the Project Manager will immediately notify the local law enforcement agency and medical examiner/coroner's office.

The Medical Examiner/Coroner (with assistance of law enforcement personnel) will determine if the remains are human, whether the discovery site constitutes a crime scene, and will then notify DAHP.

**King County Coroner**

Richard Harruff, Medical Officer  
King County Medical Examiner's Office  
Harborview Medical Center  
325 9th Avenue, Box 359792  
Seattle, Washington 98104-2499  
Telephone: (206) 731-3232  
Fax: (206) 731-8555  
Email: [richard.harruff@kingcounty.gov](mailto:richard.harruff@kingcounty.gov)

Seattle Police Department  
East Precinct  
1519 12<sup>th</sup> Avenue  
Seattle, WA 98122  
206-684-4300

**B. Participate in Consultation:**

Per RCW 27.44.055, RCW 68.50, and RCW 68.60, DAHP will have jurisdiction over non-forensic human remains. Ecology staff will participate in consultation.

### **C. Further Activities:**

- Documentation of human skeletal remains and funerary objects will be agreed upon through the consultation process described in RCW 27.44.055, RCW 68.50, and RCW 68.60.
- When consultation and documentation activities are complete, construction in the discovery area may resume as described in Section 7.

## **6. DOCUMENTATION OF ARCHAEOLOGICAL MATERIALS**

Archaeological deposits discovered during construction will be assumed eligible for inclusion in the National Register of Historic Places under Criterion D until a formal Determination of Eligibility is made.

Project staff will ensure the proper documentation and field assessment will be made of any discovered cultural resources in cooperation with all parties: the federal agencies (if any), DAHP, Ecology, affected tribes, and a contracted consultant (if any).

All prehistoric and historic cultural material discovered during project construction will be recorded by a professional archaeologist on a cultural resource site or isolate form using standard and approved techniques. Site overviews, features, and artifacts will be photographed; stratigraphic profiles and soil/sediment descriptions will be prepared for minimal subsurface exposures. Discovery locations will be documented on scaled site plans and site location maps.

Cultural features, horizons and artifacts detected in buried sediments may require further evaluation using hand-dug test units. Units may be dug in controlled fashion to expose features, collect samples from undisturbed contexts, or to interpret complex stratigraphy. A test excavation unit or small trench might also be used to determine if an intact occupation surface is present. Test units will be used only when necessary to gather information on the nature, extent, and integrity of subsurface cultural deposits to evaluate the site's significance. Excavations will be conducted using state-of-the-art techniques for controlling provenience, and the chronology of ownership, custody and location recorded with precision.

Spatial information, depth of excavation levels, natural and cultural stratigraphy, presence or absence of cultural material, and depth to sterile soil, regolith, or bedrock will be recorded for each probe on a standard form. Test excavation units will be recorded on unit-level forms, which include plan maps for each excavated level, and material type, number, and vertical provenience (depth below surface and stratum association where applicable) for all artifacts recovered from the level. A stratigraphic profile will be drawn for at least one wall of each test excavation unit.

Sediments excavated for purposes of cultural resources investigation will be screened through 1/8-inch mesh, unless soil conditions warrant 1/4-inch mesh.

All prehistoric and historic artifacts collected from the surface and from probes and excavation units will be analyzed, catalogued, and temporarily curated. Ultimate disposition of cultural materials will be determined in consultation with the federal agencies (if any), DAHP, Ecology and the affected tribes.

Within 90 days of concluding fieldwork, a technical report describing any and all monitoring and resultant archaeological excavations will be provided to the Project Manager, who will forward the report for review and delivery to Ecology, the federal agencies (if any), DAHP, and the affected tribe(s).

*If assessment activity exposes human remains (burials, isolated teeth, or bones), the process described in Section 5 will be followed.*

## **7. PROCEEDING WITH WORK**

Work outside the discovery location may continue while documentation and assessment of the cultural resources proceed. A professional archaeologist must determine the boundaries of the discovery location. In consultation with Ecology, DAHP and any affected tribes, the Project Manager will determine the appropriate level of documentation and treatment of the resource. If there is a federal nexus, Section 106 consultation and associated federal laws will make the final determinations about treatment and documentation.

Work may continue at the discovery location only after the process outlined in this plan is followed and the Project Manager, DAHP, any affected tribes, Ecology (and the federal agencies, if any) determine that compliance with state and federal law is complete.

## **8. RECIPIENT/PROJECT PARTNER RESPONSIBILITY**

The Project Recipient/Project Partner is responsible for developing an IDP. The IDP must be immediately available onsite, be implemented to address any discovery, and be available by request by any party. The Project Manager and staff will review the IDP during a project kickoff or pre-construction meeting.

*We recommend that you print images in color for accuracy.*



# Implement the IDP / UDP if ...

You see chipped stone artifacts.



- Glass-like material
- Angular
- “Unusual” material for area
- “Unusual” shape
- Regularity of flaking
- Variability of size





# Implement the IDP / UDP if ...

You see ground or pecked stone artifacts.



- Striations or scratching
- Unusual or unnatural shapes
- Unusual stone
- Etching
- Perforations
- Pecking
- Regularity in modifications
- Variability of size, function, and complexity

# Implement the IDP / UDP if ...

You see bone or shell artifacts.



- Often smooth
- Unusual shape
- Carved
- Often pointed if used as a tool
- Often wedge shaped like a “shoehorn”





# Implement the IDP / UDP if ...

You see bone or shell artifacts.



- Often smooth
- Unusual shape
- Perforated
- Variability of size





# Implement the IDP / UDP if ...

You see fiber or wood artifacts.



- Wet environments needed for preservation
- Variability of size, function, and complexity
- Rare





# Implement the IDP / UDP if ...

You see historic period artifacts.





# Implement the IDP / UDP if ...

You see strange, different or interesting looking dirt, rocks, or



- Human activities leave traces in the ground that may or may not have artifacts associated with them
- “Unusual” accumulations of rock (especially fire-cracked rock)
- “Unusual” shaped accumulations of rock (e.g., similar to a fire ring)
- Charcoal or charcoal-stained soils
- Oxidized or burnt-looking soils
- Accumulations of shell
- Accumulations of bones or artifacts
- Look for the “unusual” or out of place (e.g., rock piles or accumulations in areas with few rock)



# Implement the IDP / UDP if ...

You see strange, different or interesting looking dirt, rocks, or



- “Unusual” accumulations of rock (especially fire-cracked rock)
- “Unusual” shaped accumulations of rock (e.g., similar to a fire ring)
- Look for the “unusual” or out of place (e.g., rock piles or accumulations in areas with few rock)



# Implement the IDP / UDP if ...

You see strange, different or interesting looking dirt, rocks, or



Layers of shell  
midden

Historic Debris

- Often have a layered or “layer cake” appearance
- Often associated with black or blackish soil
- Often have very crushed and compacted shells





**Implement the IDP / UDP if ...**

**You see historic foundations or buried structures.**

