



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

1250 W Alder St • Union Gap, WA 98903-0009 • (509) 575-2490

June 21, 2019

Tom Colligan, Project Coordinator
Floyd Snider
601 Union Street, Suite 600
Seattle, WA 98101

Scott MacDonald, Project Coordinator
BNSF Railway Company
605 Puyallup Avenue South
Tacoma, WA 98421

RE: Conditional Approval of the Land Treatment Interim Action Work Plan

- **Site Name:** Big B Mini Mart
 - **Site Address:** 1611 Canyon Road, Ellensburg
 - **FSID No.:** 386
 - **CSID No.:** 4901
 - **Agreed Order:** DE 16307

Dear Tom Colligan and Scott MacDonald:

The Department of Ecology (Ecology) conditionally approves the Interim Action Work Plan (IA Work Plan) as long as the following are addressed:

- Submit a detailed construction schedule to Ecology per the IA Work Plan three (3) days prior to beginning fieldwork.
- Per Section VIII (E) of Agreed Order DE 16307, ensure notification is provided to Ecology seven (7) calendar days in advance of *any sample collection or work activity at the Site* (my emphasis).
- In general, Ecology's expectation is the PLPs' adherence to all of the provisions in the IA Work Plan (bullet points). This includes documentation of field observations (e.g., field screening), general site conditions as well as the condition of the land treatment area, observations during any work such as sampling or land treatment activities, and any other notable site conditions.



Tom Colligan and Scott MacDonald
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This included the use of a silt fence and the use of filter socks at the stormwater grates adjacent to the Site. The City of Ellensburg may have communicated other recommendations or requirements to the PLPs' agents that are not listed here.

- A sufficient amount of plastic sheeting to cover the land treatment area should be available at the Site prior to excavation and transfer of the contaminated soils to the treatment area. This is necessary to cover the pile to prevent stormwater runoff and wind erosion as well as to mitigate odor issues if any complaint is received. A worker shall be available within two (2) hours or less to cover the pile. The weather reports should be monitored for the probability of storm events and the pile shall be covered in the likelihood of rainfall that may produce runoff of sediments/soil.
- Any complaints received from the public or the City will be relayed to Floyd Snider for resolution.

I understand that the narrow timeframe of 15 days to begin implementation of the IA may prove to be a challenge. Please keep me informed of any issues as they occur. You can reach me at (509) 454-7836 if you have further questions.

Sincerely,



John Mefford
Cleanup Project Manager
Toxics Cleanup Program, Central Region Office

JM:rl

cc: Caroline Cress, AGO Ecology Division
Valerie Fairwell, Cascadia Law PLLC
Brooke Kuhl, BNSF Railway Company
Surjit Singh, Big B, LLC
Kevin Wilkerson, NES, Inc.

PLAN AND PROCEDURES FOR THE UNANTICIPATED DISCOVERY OF CULTURAL RESOURCES AND HUMAN SKELETAL REMAINS¹

PROJECT TITLE: Big B Mini Mart

COUNTY WASHINGTON: Kittitas

Section, Township, Range: Section 11, T 17 N, R 18 E

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.

¹ 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.

- 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: Name Title Number Email	Agency: Name Title Number Email
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Department of Archaeology and Historic Preservation:

Dr. Allyson Brooks State Historic Preservation Officer 360-586-3066 Assigned Alternate:	Rob Whitlam, Ph.D. Staff Archaeologist 360-586-3050 Assigned Alternate:
Dr. Guy Tasa State Physical Anthropologist 360-586-3534 (direct) 360-790-1633 (cell) guy.tasa@dahp.wa.gov	

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.

Enter contact information below:

Ken Wade, Chief of Police
100 N. Pearl St.
Ellensburg, WA 98926
Phone: (509) 962-7280

Enter contact information below:

Nick Henderson, Coroner
507 North Nanum St., Suite 113
Ellensburg, WA 98926 Phone: (509) 933-8200
Fax: (509) 933-8224
Email: nick.henderson@co.kittitas.wa.us

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.

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 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 fiber or wood artifacts.



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



Implement the IDP / UDP if ...

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



Layers of shell midden

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

Historic Debris



Figure 7.24: Silt Fence

