
CULTURAL RESOURCES MONITORING AND DISCOVERY PLAN
FOR THE
KIMBERLY-CLARK WORLDWIDE SITE UPLAND AREA,
EVERETT, SNOHOMISH COUNTY, WASHINGTON

Report Prepared for

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INTRODUCTION

The Kimberly-Clark Worldwide (K-C WW) upland area was developed for pulp and paper manufacturing and operated as the same for nearly a century. The Department of Ecology and K-C WW, Inc. have executed an Agreed Order to complete studies related to contamination on the property and future cleanup of the area as well as opportunistic interim action cleanup activities during demolition of the historic pulp and paper mill. A cultural resources assessment that included background information on the setting of the project area, expectations for buried cultural resources based on previous investigations in the vicinity, and a GIS-based probability map showing areas with low, medium, and high potential to harbor significant archaeological materials was prepared as required by the Interim Action Plan (Rinck et al. 2013). This monitoring and discovery plan was developed for use during opportunistic cleanup according to recommendations made in that assessment.

Project Location and Description

The project is in Section 19 of Township 29 North, Range 5 East, Willamette Meridian (Figure 1). The K-C WW property includes about 56 acres of uplands and 12 acres of adjacent tidelands. The west property boundary is adjacent to the East Waterway in Port Gardner Bay of Possession Sound and the east property boundary is at the BNSF Railroad right-of-way. The north project boundary is at the foot of 21st Street and the south project boundary is at the foot of Everett Avenue.

Most of the contamination to be cleaned up is within historical fill, but some cleanup excavations may penetrate into underlying naturally deposited sediment. Because all the contaminated areas to be targeted during interim action are not currently known, excavation quantities and dimensions cannot yet be estimated. No vegetation removal or in-water work, including dredging, drilling, dumping, filling, mining, bulk-heading, pile driving, or piling removal will occur during the opportunistic interim action cleanup efforts. At the time of the cultural resources assessment, 11 specific areas were identified where opportunistic cleanup will occur, including the Naval Reserve Parcel UST area (1), Xylene UST 29/Latex Spill (2), Rail Car Dumper Hydraulic System Building (3), Diesel UST 70 (4), Bunker C USTs71/72/73 (5), Boiler/Baghouse Area (6), Heavy Duty Shop sump (7), GF 11 (8), Diesel AST Area (9), Bunker C ASTa (10), Bunker C ASTb (11) (Figure 2). Additional areas may be identified for opportunistic cleanup as demolition proceeds.

Regulatory Setting

The project is subject to the Washington State Environmental Policy Act (SEPA) that requires the project proponent to identify any places or objects listed on, or eligible for national, state, or local preservation registers in the vicinity of the project. The regulation also requires proponents to describe evidence for sites of historic, archaeological, scientific, or cultural importance in the vicinity of a project, and describe proposed measures to reduce or control impacts to those sites. Agencies are encouraged by SEPA to consult with others to find acceptable ways to avoid or mitigate any adverse impacts that may be caused by the project.

The project is also subject to several Washington state laws pertaining to archaeological cultural resources. For example, the Archaeological Sites and Resources Act [RCW 27.53] prohibits knowingly excavating or disturbing prehistoric and historic archaeological sites on public or private land. The Indian Graves and Records Act [RCW 27.44] prohibits knowingly destroying American Indian graves and provides that inadvertent disturbance through construction or other activities requires re-interment under supervision of the appropriate Indian tribe. In order to prevent the looting or depredation of

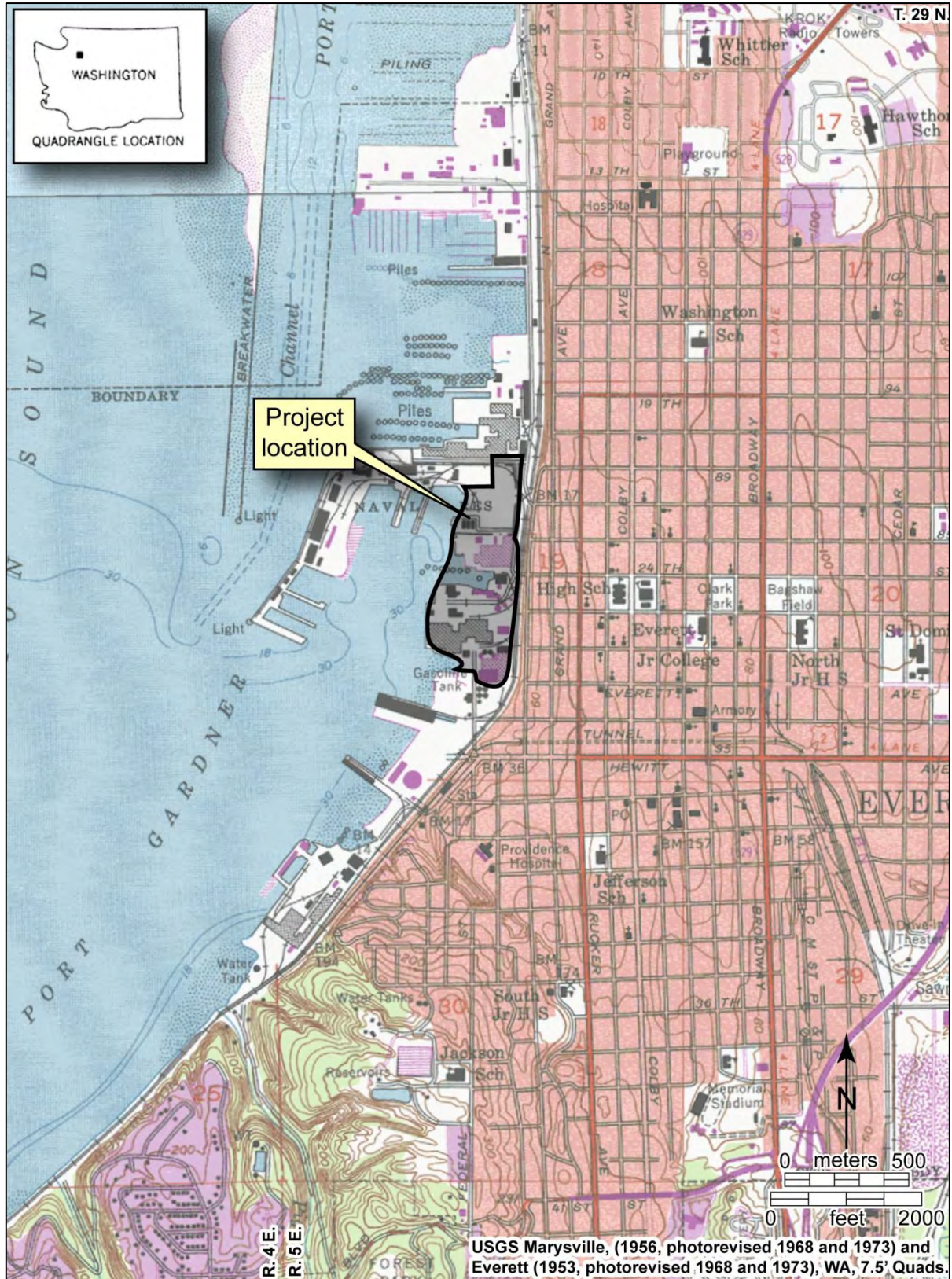


Figure 1. Project location.

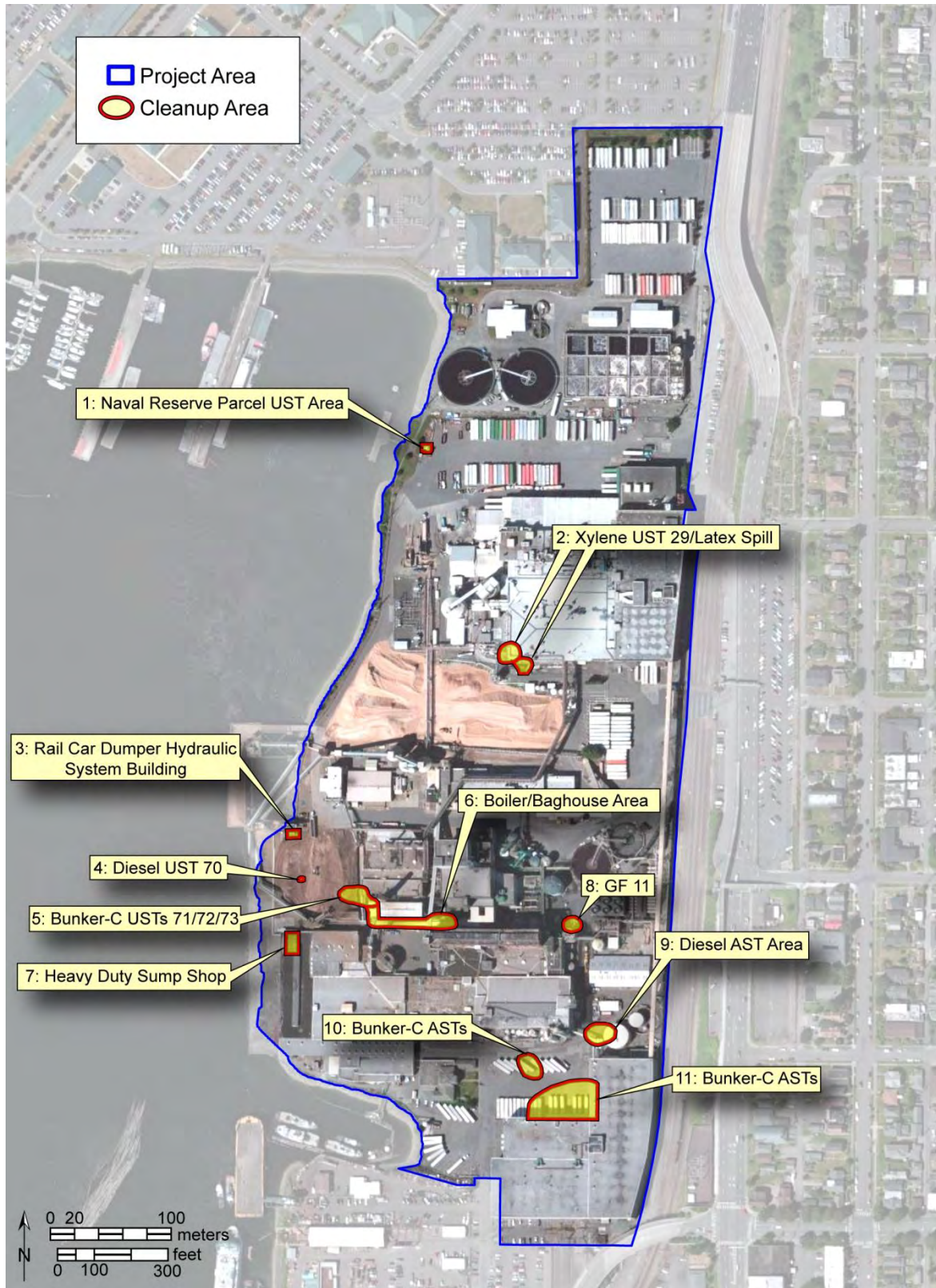


Figure 2. Proposed opportunistic cleanup locations in the K-C WW upland area.

sites, any maps, records, or other information identifying the location of archaeological sites, historic sites, artifacts, or the site of traditional ceremonial, or social uses and activities of Indian Tribes are also exempt from disclosure [RCW 42.56.300].

The Tulalip Tribes have communicated to Ecology that the Everett waterfront is a very culturally sensitive area. The previous cultural resources assessment was completed due to the Tribe's and other interested parties' concern for cultural resources in the K-C WW upland vicinity.

Archaeological Background

The K-C WW upland area is on the east side of the East Waterway, which was historically dredged between the mainland shoreline and the Snohomish River estuary (Eldridge and Orlob 1951). Variable amounts of fill are present across the entire surface of the K-C WW upland area. Some of the fill came from dredging the East Waterway or other dredging that took place on the Snohomish River delta. Fill in the project area also originated as mill waste and was dumped directly into Port Gardner from the shoreline (Orlob and Eldridge 1954). Natural deposits below the fill include sediments deposited in backshore, beach, foreshore, marsh, and sub-tidal deltaic environments. There is potential for pre-contact and early historical cultural materials to be buried deeply below the fill along the historical shoreline where beach alluvium, backshore alluvium, and glacial soils are below the urban land. There, the fill is slightly thinner and cultural materials, if present, would not be as deeply buried compared to the west half of the project area where fill was deposited on the foreshore and into the marsh and Port Gardner. The fill could harbor stable surfaces with potential for historical cultural materials, as well.

People have lived on the accessible shores of Port Gardner Bay for thousands of years. Native people used the Everett shoreline for shellfish collection, hunting, plant gathering and fishing and several ethnographic villages and camps were near the project area (Baenen 1981; Haeberlin and Gunther 1930; Smith 1940, 1941; Swanton 1968; Twedell 1974; Waterman et al 2001). The shorelines were developed quickly after the Euroamericans arrived to the region and then converted their interests from exploration to settlement. Land in the project area transferred hands from early settlers, such as Dennis Brigham, Erskine Kromer, John King, and Wyatt Rucker, to larger companies, such as the Clark-Nickerson Lumber Company and the Everett Flour Mill. Around 1929, the Puget Sound Pulp and Timber Company consolidated holdings across most of the project area and they expanded the piers and wharves greatly. Later, the Soundview Pulp Company took over the property and they continued to expand the mill site. The Soundview Pulp Company merged with the Scott Paper Company around 1950 and Scott merged with the Kimberly Clark Corporation in 1995. Mill operations ended in April 2012 and the last of the Everett waterfront mills shut down permanently. For more information about the setting of the project, please review the initial cultural resources assessment (Rinck et al. 2013).

Potential for Discovery of Cultural Resources

Although the K-C WW upland area has been altered by filling, diking, pile driving, wharf building, and more recent shoreline development, there is still some risk of discovering buried cultural resources. Background research summarized above indicates that the project vicinity was used intensively by Native Americans prior to Euroamerican settlement. However, most of the project area was at least partially inundated on the delta front prior to historic development. Pre-contact archaeological deposits in the project area would most likely be related to hunting, fishing, or other resource procurement activities that would have occurred in a marshy environment and sites, if present, would be buried under fine-grained intertidal alluvium that historically accumulated on top of any buried pre-contact surfaces. Pre-contact archaeological materials or ethnographic deposits in this setting would probably

exhibit signs of tidal reworking or rapid burial as a result of alluvial processes on the delta front or subsidence. More substantial pre-contact and ethnographic period archaeological sites associated with cooking, camping, and habitation would probably be on elevated landforms, if present, near the former shoreline along the east margin of the property where a beach was once present. Natural deposits are expected to be rare above 20 feet below the surface (fbs). Holocene-age deposits below the fill are expected to grade from coarser to finer from northeast to southwest across the project area, as one moves from more proximal to distal along the delta shoreline.

The project area also may contain historical archaeological resources. Although a number of Euroamerican explorers and traders visited Port Gardner between the 1820s and 1850s, the permanent Euroamerican presence along Port Gardner's southeast shoreline dates to the early 1860s. Archaeological evidence of Euroamerican visitors may be found in archaeological sites in the vicinity and would consist of artifacts like glass beads, metal tools and pots, guns, buttons and other new materials and technologies. Historical cultural materials dating after 1862 are more clearly attributed to Euroamericans and could include architectural, industrial, domestic and other assemblages. Cultural materials associated with nineteenth-century homesteading, mills and railroads, early industry, and residential occupation may be in the project area. Euroamerican entrepreneurs significantly altered and filled the shoreline and old beach surfaces are certainly present below the fill. The fill itself might contain historical archaeological deposits or objects in the form of artifact dumps or scatters and possibly stable surfaces that could have been occupied between fill events. Maps of the project area show docks and wharves expanding at a great pace, especially between 1900 and 1910 and between 1929 and 1936. The top 10 feet of fill is expected to be highly disturbed by repeated mill construction cycles and utility installation and upgrades. Deeper fill may be less disturbed and its stratification may reflect the historic context.

Bathymetric data from early historic maps was used to determine which portions of the project area were sub-tidal, intertidal, and sub-aerial (Rinck et al. 2013). Sub-aerial landforms identified in the project area include the upland, beach, and backshore. Intertidal landforms in the project area are the foreshore and marsh. Finally, the delta front is the only sub-tidal landform identified in the K-C WW upland area. The horizontal extent of the six historical landforms results in a model of the sensitivity for cultural resources in the project area. Figure 3 depicts areas of high, medium, and low risk for finding archaeological sites. Highest risk areas are along the historic beach and sub-aerial landforms and the lowest potential for identification of sites is in areas that were historically inundated, like the sub-tidal delta. Moderate levels of risk for identification of archaeological sites is assigned to the intertidal zone, including the foreshore and marsh landforms, where human use was limited and sites are generally ephemeral in type. About half of the 11 opportunistic cleanup areas demarcated so far are on landforms with high sensitivity for buried resources.

Excavation work associated with the interim cleanup actions will primarily occur in fill. It has already been determined that the cleanup actions will be observed by a geologist who will ensure the excavation does not extend below the fill and that a professional archaeologist will only be contacted to assess the find if a potential archaeological object is observed by the geologist. SWCA recommended an archaeological monitor be present to view any excavation below the fill in areas assigned moderate potential for buried cultural resources and that an archaeologist be present to monitor interim actions at the base of the fill and below in areas assigned high risk for buried cultural resources. This boundary is very important to archaeologists, as it harbors very high potential for cultural resources.

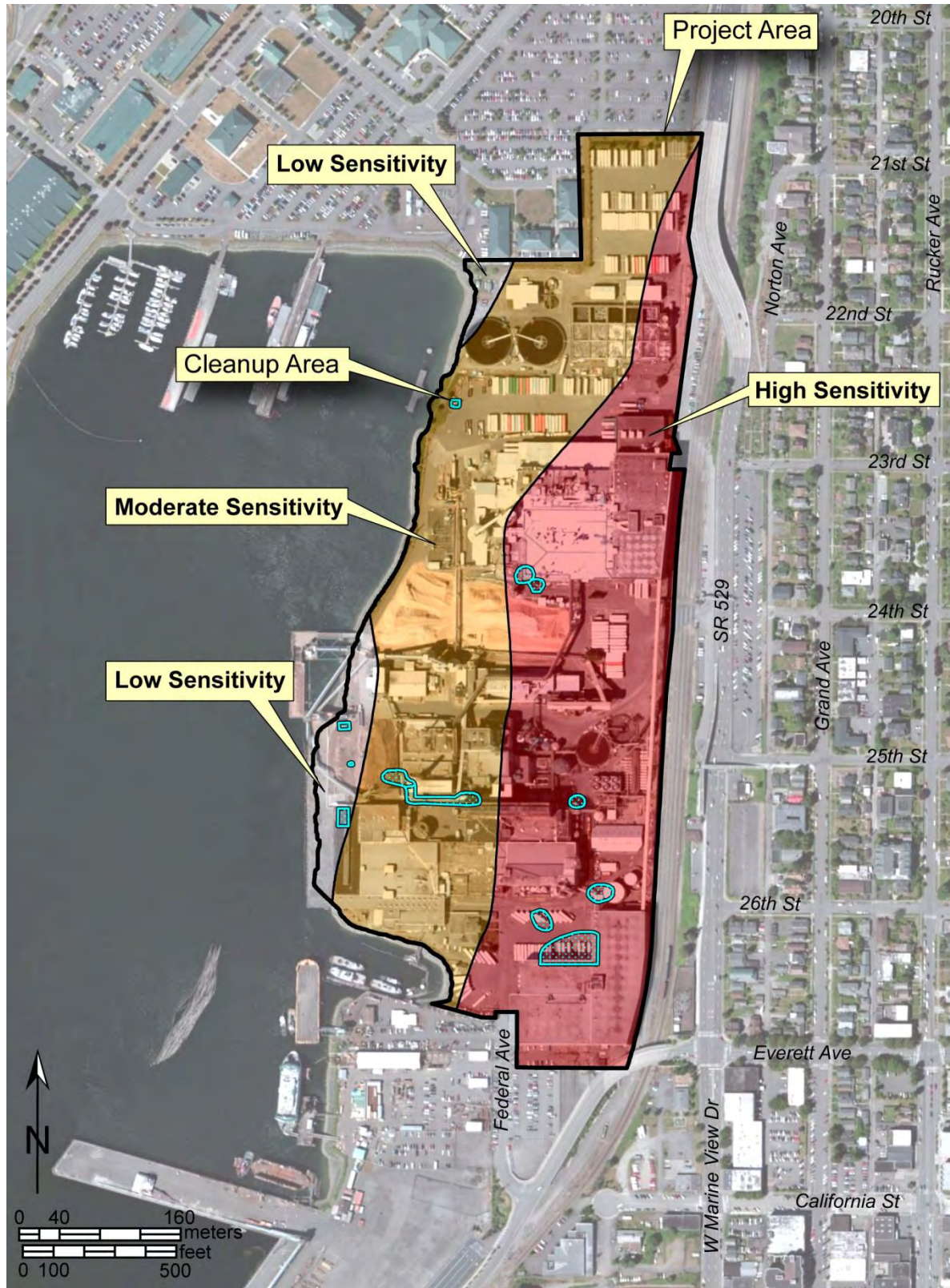


Figure 3. Areas of risk for finding pre-contact, early historical period Native American and early historical period archaeological sites, based on landforms and the historical shoreline.

Briefing

Briefing of construction personnel on expectations for cultural resources can be arranged, if needed. A briefing is especially important if unmonitored excavations in areas with potential for cultural resources will occur. If archaeologically monitored excavations occur, the briefing provides an opportunity for machinery operators and the archaeological monitor to discuss communication protocols and a plan of action in case cultural materials are identified. The briefing will include information on the legal context of cultural resources protection. In most cases, this briefing would be informal and would occur before work the first morning of interim action excavations. The briefing will be conducted by a qualified archaeologist.

UNMONITORED DISCOVERY

An archaeological monitor that has completed 40 hours of Hazardous Waste Operations and Emergency Response (HAZWOPER) training will be on site during the excavation of naturally deposited sediment below the fill in areas assigned moderate potential for buried cultural resources. An archaeologist that has completed 40 hours of Hazardous Waste Operations and Emergency Response (HAZWOPER) training will also be present to monitor interim actions at the base of the fill and below in areas assigned high risk for buried cultural resources. It is the responsibility of K-C WW, Inc., or their representatives at Aspect, to notify SWCA when the base of the fill is encountered, or suspected in the moderate and highly sensitive portions of the project area. In the event that archaeological deposits, human remains, or isolated artifacts are discovered when a monitor is *not* present it will be the responsibility of the K-C WW Upland Site Area Project Manager (or designated representative) to stop construction work in the vicinity of any potential discovery, and keep work stopped while contacting the archaeological Monitoring Supervisor to inform him of the potential cultural materials. Collection of the cultural materials by employees, construction personnel or others with access to the project is prohibited by State law.

Typical markers of pre-contact human activity include: fire-modified rock (FMR), animal bone, concentrations of shell, ground and flaked stone tools and flaked stone tool-making debris, burned earth, cordage or fiber, organically stained sediments, charcoal, ash, and exotic rocks and minerals.

Typical markers of significant historic-period human activity may include: significant deposits of domestic refuse such as bottles, ceramics and cans, and intact structural remains such as building foundations, boardwalks, or other structural elements.

MONITORED DISCOVERY

Communication Protocol

The Archaeological Monitor will communicate with the Construction Superintendent via Aspect to make general requests, or inquiries pertaining to equipment movement, placement of back dirt for examination, or excavation scheduling. The Archaeological Monitor also may need to communicate with excavation equipment operators to understand the timing and procedures of construction excavation at the start of each day. Construction spoils will almost certainly be contaminated with petroleum, heavy metals, and/or volatile organic compounds, so Aspect and the Construction Superintendent will find the best way for the Archaeological Monitor to make their necessary

observations within the limits of safety wherever feasible. Excavation trenches without shoring would only be directly accessed if deemed safe by Aspect and if less than 4 feet in depth. Aspect will communicate excavation procedures directly to the equipment operator in a fashion agreed upon by the Construction Superintendent.

Aspect will direct equipment operators and the Archaeological Monitor may ask the Aspect representative to temporarily pause excavation for observation. Temporary pauses would be on the order of one minute, to take a photograph or collect a depth measurement, for example. If the Archaeological Monitor determines that archaeological materials may be exposed in a particular area based on visual evidence, the Archaeological Monitor may ask the K-C WW Upland Area Project Manager and the Construction Superintendent to request that equipment operators modify construction excavation procedures to provide exposures of subsurface stratigraphy, in order to confirm the presence of any such resources in that area. For example, the Archaeological Monitor may request that Aspect direct the equipment operators to remove thin lifts of fill or sterile sediment to provide more extensive horizontal exposures of a potential cultural resource. Some areas may be cordoned off to allow more time to examine possible archaeological deposits. If needed, work may be stopped in an area sufficient to assess resources that may be significant and time will be provided for additional evaluation by field archaeologists. If the Archaeological Monitor determines a potentially significant archaeological resource is present, then no excavation will take place in the site without an excavation permit.

Work Stoppage

If any archaeological resources are discovered during monitored or unmonitored cleanup investigation activities, work will be stopped immediately and Ecology, the Department of Archaeology and Historic Preservation (DAHP), the City of Everett Planning and Community Development Department, and the Tulalip and Suquamish Tribes Cultural Resources Departments will be notified that day if possible, and no later than the close of the next business day (see contact list). An archeologist will be retained for an onsite inspection of the archaeological resource and the parties mentioned above will be invited to participate. The archaeologist will document the discovery and provide a professionally documented site form and report to the above-listed parties. Ground disturbing construction activities will be halted in the area of discovery large enough to ensure that integrity of the find is not compromised, although construction activities may continue elsewhere in the project area. In the event of discovery of human remains, work will be immediately halted in the discovery area and the remains will be covered and secured against further disturbance. The Everett Police Department and Snohomish County Medical Examiner will be immediately contacted, along with the DAHP Physical Anthropologist and authorized Tribal representatives.

Discovery Procedures

The following outlines the steps that will occur if cultural resources are discovered during construction. If the discovery occurs when the Archaeological Monitor is not present, the Project Manager (or designated representative) will ensure that construction does not continue in the vicinity of the discovery and will notify the Archaeological Monitor. If the discovery occurs during monitoring, the Archaeological Monitor will request work stoppage at the spot where possible cultural resources are identified and the following protocol will occur:

1. When cultural resources are discovered, the Archaeological Monitor will a) identify the nature of the discovery, and b) conduct preliminary evaluation. The Project Manager will assure

cessation of work at the location of the discovery. If possible, work would be redirected elsewhere by Aspect while evaluation is undertaken, but dewatering makes this scenario unlikely. Preliminary evaluation is usually a relatively quick process, but may require the assistance of the archaeological Monitoring Supervisor.

2. If the identified cultural resource appears relatively intact or relates to Native American occupation, the Archaeological Monitor or Monitoring Supervisor will request that the Project Manager (or the designated representative) notify the affected Tribes and the DAHP of the discovery.
3. The Archaeological Monitor will record, on standard forms, all pre-contact and/or intact historical cultural material. Initial efforts will focus on establishing the nature, provenience, and integrity of any discovery. Documentation methods may include photographs, sketches, scaled drawings, and written descriptions. During the work stoppage, the Project Manager will grant sufficient time to evaluate the discovery and will communicate with the Construction Superintendent. The Archaeological Monitor will ensure that the Monitoring Supervisor and Project Manager are fully briefed on the discovery.
4. Preliminary evaluation will not include excavation into an archaeological site without an excavation permit. If excavation into an archaeological site is needed to evaluate the resource, the Monitoring Supervisor will apply for an emergency excavation permit from the DAHP. The application process may require consultation with K-C WW, Inc., Ecology, the DAHP, the City of Everett Planning and Community Development Department, and/or the Tulalip and Suquamish Tribes Cultural Resources Departments. Any artifacts inadvertently removed from the resource prior to it being recorded as an archaeological site will be turned over to K-C WW, Inc. for curation arrangements.
5. Documentation of the discovery will be assembled and forwarded to K-C WW, Inc. via Aspect. K-C WW, Inc. will consult with the DAHP and affected Tribes. Project activity will be prohibited in the vicinity of the discovery and may not proceed until consultation with the DAHP and all affected Tribes have concluded that a) the resource is not eligible for listing in the National Register of Historic Places (NRHP), or any state or local registers, or b) that the resource is determined eligible for listing in the NRHP, but further activities beyond a determined buffer will not negatively impact the resource.
6. If consultation between K-C WW, Inc., Ecology, the DAHP, and affected Tribes determines that the archaeological resource is eligible for listing in the NRHP and that cleanup activities will have a negative impact on the archaeological resource, then it will be recommended that K-C WW, Inc. alter their cleanup plans avoid the site. If K-C WW, Inc. wishes to continue cleanup within the register eligible archaeological site as planned, additional archaeological investigations will be required prior to cleanup. Any archaeological site investigation would be conducted under a research design and discussed as part of an excavation permit application.
6. A letter report including the results of monitoring will be submitted by SWCA to Aspect for K-C WW, Inc. review at the conclusion of the project. If archaeological resources are identified and additional archaeological investigations take place, their methods and results may be summarized in supplemental documents after any necessary analysis is complete.

Human Remains

At the time that any bone that may be human is discovered, construction activity in the vicinity of the discovery will cease immediately to allow the Archaeological Monitor to conduct preliminary analysis of

the bone to determine if the remains are human. If the Archaeological Monitor is not present and bone is discovered, work will be stopped and the Project Manager will contact the archaeological Monitoring Supervisor. No additional earth moving or stockpiling of materials will occur within 30 feet of the bone and the area of discovery will be avoided until the Archaeological Monitor and/or Monitoring Supervisor arrive. The bone is not to be handled or photographed by anyone other than a professional archaeologist, law enforcement official, medical examiner, or tribal member.

If the remains are determined to be human, or possibly human:

1. The Archaeological Monitor or Monitoring Supervisor will immediately notify the Project Manager.
2. Upon receiving notice, the Project Manager, shall immediately notify the Everett Police Department and Snohomish County Medical Examiner (ME) and request that the ME determine if the remains are forensic or non-forensic. Contemporaneous with notifying local law enforcement and ME, the Project Manager (or designated representative) shall also notify the affected tribes and DAHP of the discovery.
3. If the ME determines the remains are non-forensic, the DAHP will take jurisdiction over the discovery. If the ME determines the remains are forensic, the Everett Police Department will take jurisdiction over the discovery.
4. If the ME determines the remains are non-forensic, the State Physical Anthropologist with the DAHP will make a determination if the remains are Indian or non-Indian and report that finding to the affected parties.
5. The DAHP will handle all consultation with the affected parties as to the future preservation, excavation, and disposition of the remains. The consultation process will help to determine if, when, and how project construction will resume.
6. SWCA will prepare a final report that describes the discovery, notification of affected parties, steps taken in response to the discovery, and the final disposition of the non-forensic human remains.

CONFIDENTIALITY

Archaeological properties are of a sensitive nature, and sites where cultural resources are discovered can become targets of vandalism and illegal removal activities. All parties shall keep and maintain as confidential all information regarding any discovered cultural resources, particularly the location of known or suspected archaeological property, and exempt all such information from public disclosure consistent with the National Historic Preservation Act (NHPA) and State Law RCW 42.56.300. K-C WW Inc. and Aspect shall limit access to any project related cultural resources records to authorized persons with a need to know the information. Project personnel and contractors should especially keep the discovery of any found or suspected human remains confidential, including refraining from contacting the media or sharing information regarding the discovery with the public.

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CONTACTS

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