Cultural Resources Inadvertent Discovery Guidance

Date: March, 2010

Application: All DNR managed lands where ground disturbance may occur.

DISCUSSION

The Inadvertent/Unanticipated Discovery Guidance relates to Timber Sales (TBS) contract clause G-250 and the unexpected unearthing of skeletal material of human or unknown origin, or unearthing cultural artifacts, features or evidence of cultural materials during road or landing construction, harvest activities, or any soil disturbance in the sale area. It may also relate to and provide relevant guidance to any other ground disturbing activity including leases, capital projects, maintenance or other DNR sponsored and authorized activities on DNR managed lands. This guidance contains direction that is to be implemented when an inadvertent discovery of a cultural resource occurs.

Cultural resources that may be inadvertently discovered include; archaeological resources and historic sites.

Archaeological resources are the material remains of cultures in context or in place, including artifacts and features left on the landscape. Artifacts are the physical tools and implements of a culture (i.e., manufactured, human-altered items). Features are physical alterations in the natural environment. An archaeological site is a geographic location in which archaeological resources are present. These sites may reflect spatial and/or temporal land use.

Historic sites are locations, generally 50 years old or older, where native or non-native events and activities have taken place since the arrival of Euro-Americans.

Historic sites often have written records that document the events and activities that occurred at a particular location.

ACTION

Pre-field Actions: Prior to ground disturbance, the DNR contract administrator (CA) will notify work crews/machine operators that they are obligated to cease work in the immediate area upon discovery of any bones or objects of human manufacture, particularly suspected Native American artifacts and notify supervisory personnel. This notification will occur during the TBS pre-work conference and during field compliance reviews.

Field Actions: In the event that project personnel encounter any definite or possible artifacts, archaeological deposits or human remains during ground disturbance, work will immediately stop and the DNR CA will be notified. The project personnel and/or CA will make a reasonable effort to protect and secure the discovery, including providing an appropriate buffer and restricting access for evaluation to occur. The CA will immediately contact DNR archaeologist(s). Work may resume outside the buffer. Evaluation and final protection measures will vary according to the nature of the discovery. See specific procedures in order of priority below.

Specific Procedures for Discovery Of Human Remains

If project personnel discover human remains or suspected human remains, all work within a 100' radius will be immediately stopped and the DNR Contract Administrator (CA) will be advised as soon as possible. The project supervisor will cover the remains with a tarp or other fabric when available, notify workers that work is not allowed in the area, and will maintain a watch to ensure that the area is not disturbed. The remains will be treated respectfully at all times.

The DNR CA shall immediately cease any activity which may cause further disturbance, make a reasonable effort to protect the area from further disturbance and notify the county coroner and/or local law enforcement, and DNR archaeologists in the most expeditious manner possible. DNR archaeologists will serve as DNR's

lead for Tribal and Department of Archaeology and Historic Preservation (DAHP) consultation process should the remains be determined non-forensic.

If the coroner and/or local law enforcement determines that the remains are non-forensic, then consultation will go forward under the statutory process defined under RCW 27.44.055. The DNR archaeologist will initiate consultation with the aid of the DNR Tribal Relations Manager, and all interested parties to create a burial treatment plan acceptable to affected Tribes, lineal descendants (if any), and MOA signatories. Parties defined in the burial treatment plan will implement its provisions.

Specific Procedures for Prehistoric Cultural Materials (archaeological resources)

If project personnel discover suspected or likely prehistoric cultural materials (not including human remains), all work within the discovery area and an adequate and sufficient buffer around the discovery (to protect from further disturbance) will cease until an evaluation is conducted. DNR's archaeologists and Tribal Relations Manager will serve as DNR's lead for Tribal and DAHP consultation processes.

If the DNR archaeologist determines that intact prehistoric deposits remain, he/she will instruct the project supervisor regarding interim protective measures, and will supervise the implementation of a treatment plan acceptable to consulting parties including DAHP and the affected Tribe(s).

Specific Procedures for Isolates or Historic Cultural Materials (historic sites)

If project personnel discover an area consisting of an isolated artifact, or consists entirely of historic artifacts (no human remains or prehistoric cultural materials), all work within the discovery area will cease until an evaluation is conducted. The DNR archaeologist may go directly to documenting the find as a form of mitigation depending on site composition.

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