

REVISED PLAN AND PROCEDURES FOR ARCHAEOLOGICAL MONITORING AND THE UNANTICIPATED DISCOVERY OF CULTURAL RESOURCES AND HUMAN SKELETAL REMAINS

SR 167 COMPLETION PROJECT, PUYALLUP TO SR 509 – NEW FREEWAY “SR 167/SR 161 to SR 410 – Rebuild Interchange” (Stage 2a) Project

1. INTRODUCTION

The Washington State Department of Transportation (WSDOT) plans to construct a new State Route (SR) 167 connection between Tacoma and Puyallup as part of the SR 167 Completion Project—Puyallup to SR 509 new freeway. The purpose of the SR 167 Completion Project is to improve regional mobility of the transportation system to serve multimodal local and port freight movement and passenger movement between (1) the Puyallup termini of SR 167, SR 410, and SR 512 and (2) the I-5 corridor, the new SR 509 freeway, and the Port of Tacoma. The SR 167/SR 161 to SR 410 – Rebuild Interchange Project (Stage 2a Project) includes construction of a new SR 167 highway between the Puyallup Recreation Center vicinity and SR 512; widening of SR 167 between SR 161/North Meridian and SR 410; reconstruction of the SR 167/SR 161/North Meridian interchange; construction of highway ramp meters; widening of local roads to create additional turning storage; and construction of a portion of the Tacoma to Puyallup (T2P) Regional Trail.

The Stage 2a Project is the third of multiple stages of the SR 167 Completion Project, Phase 1.

2. RECOGNIZING CULTURAL RESOURCES

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

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

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

An additional cultural resource within the Stage 2a footprint is the Carson Chestnut tree. The conceptual design for the project does not result in adverse effects to the historic tree. As design and construction progress, the Design-Builder shall ensure that the Carson Chestnut Tree, whose location is shown in Figure 1, shall be protected from damage using vegetation protection measures outlined in RFP Section 2.15.5.12.2.



Figure 1. SR167 Area of Potential Effect (APE) near Meridian interchange showing the location of the Carson Chestnut Tree (circled in red)

Archaeological staff meeting the Secretary of the Interior's Standards will oversee training of on-site personnel regarding the implementation of this plan. This training will include physical examples of the types of artifacts that may be encountered, as well as photographic examples of what these items may look like if encountered in the soil during construction. This training will also include information about the potential significance of any archaeological materials given the Project is being constructed on and around the Puyallup Tribe Reservation, an area that is of upmost importance to the Tribe and that contains evidence of their continuous occupation and use of the area for thousands of years. As the significance of an unanticipated discovery may not be readily apparent, this training will stress cultural sensitivity and that all discoveries must be treated respectfully by personnel involved with the find.

This training will also include information about the consequences of non-compliance with the protocols outlined in this plan. This information shall include a summary of contractual risks, such as Environmental Compliance and Assurance Procedure (ECAP) and suspension of non-compliant work, as well as penalties and legal actions under state law. Staff should leave this training aware that knowingly disturbing an archaeological site is a misdemeanor offense, can result in a notice of violation from the Department of Archaeology and Historic Preservation, fines of \$5,000 per occurrence, as well as responsibility to cover any costs required to investigate the violation and restore the site. They should also be aware that knowingly disturbing native American burials is a class C felony and will also incur the costs of repatriation.

3. ARCHAEOLOGICAL MONITORING

Due to the high potential for cultural materials within the Puyallup River floodplain, and the identification of multiple unanticipated discoveries during construction thus far, archaeological monitoring is warranted for all ground disturbing activities within the project's Area of Potential Effects (APE; See Figure 2).

Archaeological monitoring will be directed by an archaeologist who meets the professional qualifications of the Secretary of Interiors' Standards and Guidelines for Archaeology and Historic Preservation. In order to ensure sufficient familiarity with regional archaeology and geomorphology, all monitors on site need to have at least 2 years experience in Western Washington, preferably in the southern Puget Sound area. The archaeologist will be notified by the Design-Builder at least 72 hours in advance of planned ground disturbing activities, and again 24 hours before each ground disturbing activity is begun. Advanced notification should be provided in writing, and the Design-Builder shall provide information including the location, type of activity, expected depth of ground disturbance, shift start and end times, and contact information for staff responsible for the work (eg. superintendent). If warranted, weekly or other regularly scheduled meetings/phone calls to go over look-ahead schedules may be used in order to determine the appropriate level of effort for planned activities. This can help ensure coordination for archaeological monitors will be sufficient to support the Design-Builder's schedule and adhere to the requirements of this plan.

The archaeological monitor must be present before ground-disturbing activities can begin within any designated archaeological monitoring areas. During monitoring, the archaeologist will be provided safe accommodation to observe ground-disturbing activities that have the potential to expose intact archaeological deposits. Monitors shall observe excavation as it occurs- if wall profiles are not clearly visible due to depth or shoring, the monitors shall work with the operator to observe materials in each bucket of excavation, to examine spoils piles, or to determine if additional methods are appropriate to ensure appropriate assessment of excavated materials occurs. Multiple monitors shall be deployed if there are concurrent activities requiring full time

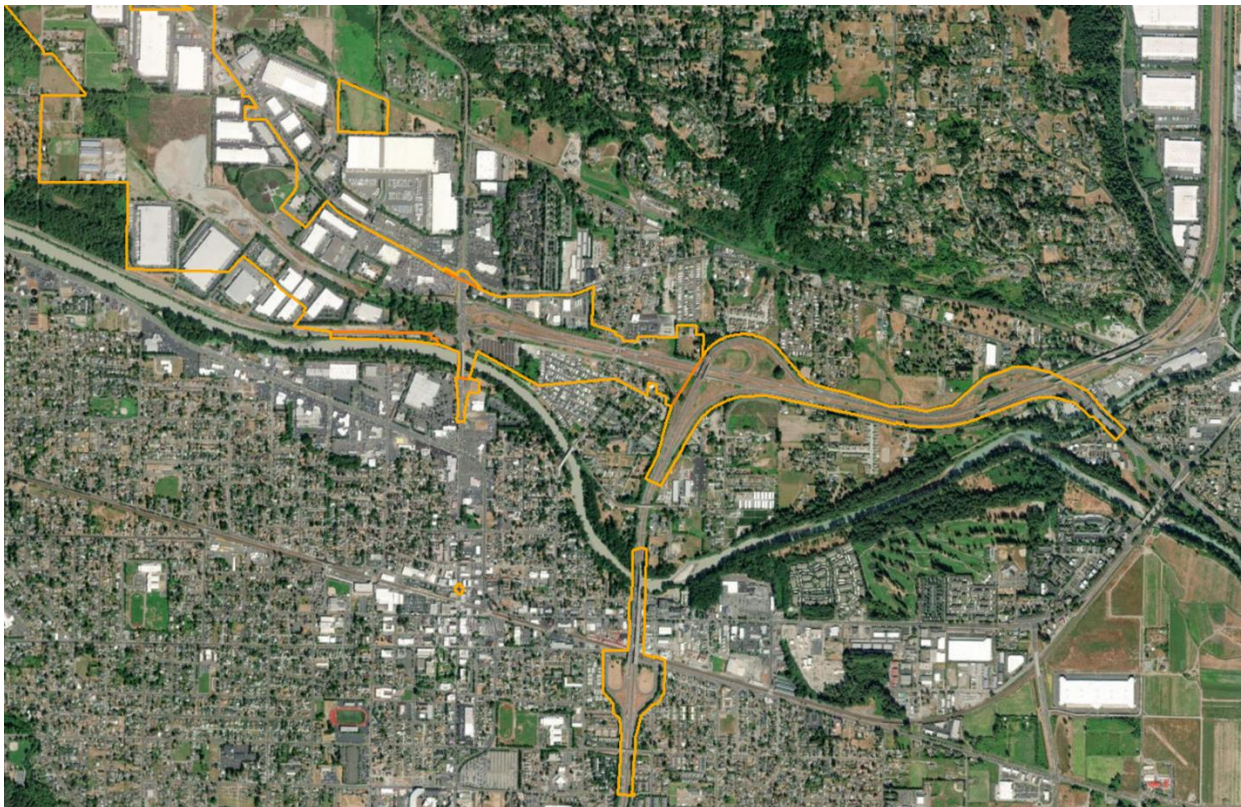


Figure 2. SR167 Area of Potential Effect (APE) within the vicinity of the Stage 2a Project footprint.

monitoring, or if excavation is taking place in such a manner that multiple staff are needed to track the excavation as well as spoils. Monitors shall have sufficient lighting to observe work occurring at night, such as light plants provided by the contractor or individual headlamps or flashlights as part of the monitor's field gear.

Data collected during each day of monitoring shall be uploaded into an ESRI GIS database such as Survey123 or Field Maps. This data will allow for tracking of the vertical and horizontal extent of past monitoring activities in order to inform the appropriate level of effort to cover subsequent work in that location. As an example, if a monitor observes installation of drainage in a given location to 10 feet below surface that was then backfilled, and later work requires the installation of electrical conduit within the same horizontal footprint to a depth of 3 feet below surface, the archaeologist may determine that a "spot check" throughout the day to confirm past observations is appropriate rather than full time monitoring. If, as a result of a spot check, the monitor finds that sediments do not meet the expectations from past observations, full time monitoring shall be reinstated.

All ground-disturbing activities will be monitored until a depth is reached where, in the opinion of the archaeological monitor, it is unlikely that intact archaeological deposits would be encountered. This may include instances where excavation is observed to only be occurring in Pleistocene glacial sediments, or where the archaeologist has confirmed visually and through a review of project plan sheets or other documentation that work will occur solely within fill or backfill from previous Project activities.

If evidence of intact pre-contact deposits or features is identified, ground-disturbing activities in the area will be stopped and consultation will proceed to determine appropriate treatment measures, in accordance with the procedures outlined in Sections 4 through 8 below.

If human remains are discovered at any time during the project, the procedures outlined in Section 6 will be followed.

4. ON-SITE RESPONSIBILITIES

STEP 1: STOP WORK - If any WSDOT employee, contractor, or subcontractor believes that he or she has uncovered a cultural resource at any point in the project, all work adjacent to the discovery must be stopped. The discovery location should be secured at all times.

STEP 2: NOTIFY MONITOR - If there is an archaeological monitor for the activity, notify that person.

STEP 3: NOTIFY WSDOT PROJECT MANAGEMENT AND CULTURAL RESOURCES PROGRAM - Contact the WSDOT Project Engineer and the Cultural Resources (CR) Program Manager:

WSDOT Project Manager:
Steve Fuchs, P.E.
360-701-9413 (mobile)
fuchss@wsdot.wa.gov

CR Interim Program Manager:
Roger Kiers
360-485-7255
kiersro@wsdot.wa.gov

WSDOT Fife Project Engineer:
Thomas Slimak, P.E.
360-972-5366
SlimakT@wsdot.wa.gov

If you can't reach the CR Program manager, contact your project's assigned Cultural Resources Specialist or an alternate:

Assigned CR Specialist:
Cassandra Manetas
206-714-7158
manetac@wsdot.wa.gov

Alternate CR Specialist:
Theodore Thompson
564-669-8883
Thomth@wsdot.wa.gov

The Project Engineer or the Cultural Resources Program will make all other calls and 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 in place and to shield them from being photographed. Do not call 911 or speak with the media.

5. FURTHER CONTACTS AND CONSULTATION

A. Project Engineer's Responsibilities:

- Protect Find: The WSDOT Project Engineer is responsible for taking appropriate steps to protect the discovery site. All work will stop in an area adequate to provide for the total security, 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 WSDOT Project Engineer may direct construction away from culture resources to work in other areas prior to contacting the concerned parties.
- Contact CR Manager: If the CR Program Manager has not yet been contacted, the Project Manager will do so.

B. CR Program Manager's Responsibilities:

- Identify Find: The CR Program Manager (or a CR Specialist, if so delegated), will ensure that a qualified professional archaeologist examines the find to determine if it is archaeological.
 - If it is determined not archaeological, work may proceed with no further delay.

- If it is determined to be archaeological, the CR Manager or CR Specialist will continue with notification.
- If the find may be human remains or funerary objects, the CR Manager or CR Specialist will ensure that a qualified physical anthropologist examines the find. If it is determined to be human remains, the procedure described in Section 6 will be followed.
- Notify DAHP: The CR Program Manager (or a CR Specialist, if so delegated) will contact the involved federal agencies and the Department of Archaeology and Historic Preservation (DAHP).
- Notify Tribe: If the discovery may relate to Native American interests, the Manager or Specialist will also contact the project's Tribal Liaison, or, if the project is not assigned a Liaison, the Executive Tribal Liaison.

Federal Agency:

Federal Highway Administration
Lindsey Handel
Area Engineer (WSDOT Puget Sound Gateway Program)
360-753-95550
LHandel@dot.gov

Department of Archaeology and Historic Preservation:

Dr. Allyson Brooks
State Historic Preservation Officer
360-586-3066
Allyson.Brooks@dahp.wa.gov

Dennis Wardlaw
Transportation Archaeologist
360-485-5014
Dennis.Wardlaw@dahp.wa.gov

Tribal Liaisons/Coordinator:

Megan Cotton
Executive Tribal Liaison
360-705-7025
cottonm@wsdot.wa.gov

The Tribal Liaison, or CR Program Manager or Specialist, will contact the interested and affected Tribes. Tribes consulted on this project are:

Nisqually Indian Tribe
Brad Beach
Cultural Resources
360-456-5221 ext. 2180
Beach.Brad@nisqually-nsn.gov

Muckleshoot Indian Tribe
Laura Murphy
Cultural Resources
253-876-3272
laura.murphy@muckleshoot.nsn.us

Puyallup Tribe of Indians
Brandon Reynon
Cultural Resources
253-573-7986
brandon.reynon@puyalluptribe.com

Yakama Nation
Casey Barney
Cultural Resources
509-865-5121
casey_barney@yakama.com

C. Further Activities

- Archaeological discoveries will be documented as described in Section 7.
- Construction in the discovery area may resume as described in Section 8.

6. SPECIAL PROCEDURES FOR THE DISCOVERY OF HUMAN SKELETAL MATERIAL

Any human skeletal remains, regardless of antiquity or ethnic origin, will at all times be treated with dignity and respect.

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

A. Notify Law Enforcement Agency and Coroner's Office:

In addition to the actions described in Sections 4 and 5, the Project Engineer will immediately notify the local law enforcement agency and medical examiner's office.

The medical examiner (with assistance of law enforcement personnel) will determine if the remains are human, whether the discovery site constitutes a crime scene, and will notify DAHP if the remains are determined to be non-forensic.

Karen Cline-Parhamovich, Medical Examiner
Pierce County Medical Examiner's Office
3619 Pacific Avenue
Tacoma, Washington 98418
Telephone: (253) 798-6494

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 and will make a determination of whether the remains are Indian or not, and notify all affected tribes. WSDOT personnel 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 8.

7. DOCUMENTATION OF ARCHAEOLOGICAL MATERIALS

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

Cultural Resources Program staff will ensure the proper documentation and assessment of any discovered cultural resources in cooperation with the federal agencies (if any), DAHP, 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 State of Washington cultural resource site or isolate form using standard techniques. Site overviews, features, and artifacts will be photographed; stratigraphic profiles and soil/sediment descriptions will be prepared for 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 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.

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, unless other arrangements are made. Ultimate disposition of cultural materials will be determined in consultation with the federal agencies (if any), DAHP, 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 Engineer, who will forward the report to the WSDOT Cultural Resources Program for review and delivery to the federal agencies (if any), SHPO, and the affected tribe(s).

If assessment activity exposes human remains (burials, isolated teeth, or bones), the process described in Section 6 above will be followed.

8. PROCEEDING WITH CONSTRUCTION

Project construction outside the discovery location may continue while documentation and assessment of the cultural resources proceed. A WSDOT CR Specialist must determine the boundaries of the discovery location. In consultation with DAHP and affected tribes, Project

Engineer and Cultural Resources Program staff will determine the appropriate level of documentation and treatment of the resource. If federal agencies are involved, the agencies will make the final determinations about treatment and documentation.

Construction may continue at the discovery location only after the process outlined in this plan is followed and WSDOT (and the federal agencies, if any) determine that compliance with state and federal laws is complete.