

INADVERTENT DISCOVERY PLAN

Prepared by the Tulalip Tribes Cultural Resources Department
for use on Local Construction Projects

PERSONNEL	PHONE/email
Project Name:	
Project Location:	
Project Manager:	
On-site Construction	

INTRODUCTION

This plan outlines procedures to implement in the event of discovery of archaeological materials or human remains, in accordance with Tulalip Tribes' Cultural Resources Codes, protocols and applicable state and federal laws.

CULTURAL RESOURCE DISCOVERIES

Archaeological sites are the physical remains of past human activity. Wherever people have lived and worked, the land and water may contain evidence of their lives. Ancestors of the Tulalip Tribes lived here before the arrival of the first European colonists. They left behind the remains of camps, villages, quarries, and hunting and fishing sites. After the Point Elliot Treaty of 1855, the locations where people lived changed as many moved to allotments and reservation facilities were developed. Abandoned homesteads and farmsteads, remains of early industrial activity like logging and milling, and evidence of continued traditional use of resources all contain valuable information about the lives of the people who lived before we did and who continue to live here.

Clues to our past, are often invisible from the surface. Traces of earlier occupation may lie under parking lots, buildings, roads, or plowed fields and may be encountered during excavation. **Examples** include:

- An accumulation of shell, burned rocks, or other food related materials.
- Bones, intact or in small pieces.
- An area or layer of charcoal or very dark stained or orange oxidized soil with fire broken rock or artifacts.
- Stone tools or waste flakes from stone tool manufacture (for example, an arrowhead or stone chips).
- Modified or stripped trees, often cedar.
- Other modified natural features, such as rock drawings (petroglyphs).
- Agricultural or logging materials that appear older than 50 years. These could include equipment, fencing, canals, spillways, chutes, derelict sawmills, abandoned grades, tools, and many other items.
- Clusters of tin cans or bottles, or other debris that appear older than 50 years.

- Buried railroad tracks, decking, foundations, or other structural remains.
- Remnants of homesteading or allotments. These could include lumber, bricks, nails, household items, toys, food containers, and other items associated with homes or farming sites.

PROCEDURES

All archaeological sites are fragile and irreplaceable; they cannot be rebuilt or remade. It is important that we all actively participate in the preservation and management of our archaeological heritage.

If any employee, contractor, or subcontractor believes that they have uncovered cultural resources at any point in the project, take the following steps:

- ▶ **STOP WORK** in the vicinity of the discovery.
- ▶ **PROTECT** the discovery. Leave the discovery and the surrounding area untouched and create a clear, identifiable boundary with temporary fencing, flagging, stakes, or other clear markings. Exclude vehicles, equipment and unauthorized personnel.
- ▶ **NOTIFY** Tulalip Tribes Cultural Resources Manager who will advise on the need for additional assessment.

Tulalip Cultural Resources Manager:	Richard Young	425 622-4303
Tulalip Assist. Cultural Resource Manager:	Gene Enick	425 258-6859

If any employee, contractor, or subcontractor believes that they have uncovered human remains at any point in the project, take the same steps listed above and in addition:

- ▶ **NOTIFY** Local law enforcement.

Tulalip Tribes Police Department (dispatch, non-emergency)	360 716-4608
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- ▶ **NOTIFY** Snohomish County Medical Examiner.

Medical Examiner (24 hours, 7 days a week)	425 438-6200
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- ▶ **CONTACT** State Physical Anthropologist

Dr. Guy Tasa	360 790-1633
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- ▶ **DO NOT** speak to the media, allow photography or disturbance of the remains, or release any information about the discovery on social media. Make sure remains are protected from view and treated with respect.

REGULATORY SETTING

Federal

Section 106 of the NHPA requires federally assisted, regulated, or permitted projects to take into account the effects of those undertakings on cultural resources included in or eligible for the National Register of Historic Places (NRHP). These might include buildings and structures, historic-period or pre-contact archaeological sites, or locations of traditional cultural significance to Native Americans or other communities.

State

Relevant Washington state laws address archaeological sites and Native American burials. 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 reinterment under supervision of the appropriate Indian tribe. In order to prevent the looting or depredation of 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 exempt from disclosure [RCW 42.56.300].

Snohomish County

Developers and property owners shall immediately stop work and notify the county, the state office of archaeology and historic preservation and affected Indian tribes if archaeological resources are uncovered during excavation [30.67.340(1)].

Tulalip Tribes of Washington

Definition (7.24.020); Important archaeological and spiritual sites, historical buildings, monuments, cemeteries, and other significant sites contributing to the local Indian history and important to the continuance of the Tulalip Tribes' identity and culture. [Ord. 80 § 24.1, 1-9-1995]

Purpose 7.24.000; To preserve and protect those archaeological, historic, and spiritual sites important to the continuance of the Tulalip Tribes' identity and culture. [Ord. 80 § 24.2, 1-9-1995].

Relevant Codes that address Culturally Sensitive, archaeological and Historical sites are found in the Tulalip Tribal Codes, Title 7 Land Use Code; Chapter 7.24.010 Environmentally Sensitive Lands, 7.24.020 Culturally Sensitive Lands, 7.24.060 Marine Shorelines/Tidelands Management, and Chapter 8.20 Environmental Infractions.