

# **Inadvertent Discovery Plan for the Port of Tacoma's Parcel 77 Auto Import Terminal Development Project, Tacoma, Washington January 16, 2018**

The Port of Tacoma (Port) intends to construct the Parcel 77 Auto Import Terminal Project (Project) located in Tacoma, Pierce County, Washington. The Project involves redeveloping the Project property into an automobile import terminal. Cultural resources investigations for the project have included background research and assessment of archaeological potential as documented in the Cultural Resources Assessment dated January 16, 2018 (Bundy 2018).

Although the Project property has been inventoried for historic properties, it is possible that additional, previously unidentified archaeological resources could be inadvertently discovered during Project activities. In the event that prehistoric or historic-era archaeological sites are inadvertently discovered, appropriate protection measures must be followed. To provide for adequate protection, this Inadvertent Discovery Plan provides protocols for discovery of archaeological resources and protocols for discovery of human remains.

## **Protocols for Discovery of Archaeological Resources**

In the event that archaeological resources are encountered within the Project, the following actions will be taken:

All ground-disturbing activity at the specific location will stop, and the Contractor's work supervisor will be notified immediately. The specific location will be secured from any additional impacts and the supervisor will contact the Port's Engineer and Environmental Project Manager immediately upon stopping the work.

The Port's Environmental Project Manager will immediately contact the Washington State Department of Archaeology and Historic Preservation (DAHP), the Puyallup Tribe, and the U.S. Army Corps of Engineers (USACE). The DAHP archaeologist or the Port's contracted archaeologist will determine the size of the work stoppage zone in order to sufficiently protect the resource until further decisions can be made regarding the work site.

The Port will consult with DAHP, the Puyallup Tribe, and USACE regarding the evaluation of the discovery and the appropriate protection measures, if applicable. Once the consultation has been completed, the Port will request written concurrence from DAHP, the Puyallup Tribe, and USACE that the protection and mitigation measures have been fulfilled. Upon notification of concurrence from the appropriate parties, the Port will proceed with the Project.

Within six months after completion of the above steps, the Port will prepare a final written report of the discovery. The report will include a description of the contents of the discovery, a summary of consultation, and a description of the treatment or mitigation measures. DAHP, the Puyallup Tribe, and USACE will have 60 days to review and submit comments regarding the final report. The Port will then revise the document, as necessary, and file final copies with DAHP, the Puyallup Tribe, and USACE. Drafts of the report will be completed in a timeline mutually acceptable to the parties.

### **Protocols for Discovery of Human Remains**

If human remains are found within the Project by the Port or its Contractor(s), the following actions will be taken, consistent with Washington State RCW 68.50.645, 27.44.055, and 68.60.055.

If ground-disturbing activities encounter human skeletal remains during the course of construction, then all activity will cease that may cause further disturbance to those remains. The area of the find will be secured and protected from further disturbance. Upon discovery, the Contractor's work supervisor will be notified immediately and the supervisor will contact the Port's Engineer and Environmental Project Manager immediately upon stopping the work.

The finding of human skeletal remains will be reported to the county medical examiner/coroner and local law enforcement in the most expeditious manner possible by the Port's Environmental Project Manager. The remains will not be touched, moved, or further disturbed. The Pierce County medical examiner/coroner will assume jurisdiction over the human skeletal remains and make a determination of whether those remains are forensic or non-forensic. If the county medical examiner/coroner determines the remains are non-forensic, then they will report that finding to DAHP, which will then take jurisdiction over the remains. DAHP will notify any appropriate cemeteries and all affected tribes of the find. The State Physical Anthropologist will make a determination of whether the remains are Indian or Non-Indian and report that finding to any appropriate cemeteries and the affected tribes. DAHP will then handle all consultation with the affected parties as to the future preservation, excavation, and disposition of the remains.

### **Confidentiality of Information**

The Port and/or its authorized representatives recognize that archaeological properties are of a sensitive nature and sites where cultural resources are discovered can become targets of vandalism and illegal removal activities. The Port and/or its authorized representatives 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 RCW 42.17.300. The Puyallup Tribe is a sovereign government and will determine Tribal policy including matters of the press and confidentiality.

The Port and/or its authorized representatives shall make its best efforts to ensure all records indicating the location of known or suspected archaeological properties are permanently secured and confidential.

The Port and/or its authorized representatives shall ensure that its personnel, contractors, and permittees keep the discovery of any found or suspected human remains, other cultural items, and potential historic properties confidential, including but not limited to, refraining such persons from contacting the media or any third party or otherwise sharing information regarding the discovery with any member of the public. The Port and/or its authorized representatives shall require its personnel, contractors and permittees to immediately notify the Port's Environmental Project Manager of any inquiry from the media or public. The Port's Environmental Project Manager shall immediately notify DAHP of any inquiries it receives. Prior to any public information release, the Port and/or its authorized representative, DAHP, the Puyallup Tribe, and USACE shall concur on the amount of information, if any, to

be released to the public, any third party, and the media and the procedures for such a release, to the extent permitted by law.

### **Lead Representative and Primary Contact**

#### **Port of Tacoma**

P.O. Box 1837, Tacoma, WA 98401

Primary Contact: Mark Rettmann, Environmental Project Manager, 253-592-6716

#### **Puyallup Tribe**

Attention: Tribal Chairman, 3009 Portland Ave, Tacoma, Washington 98404

Lead Representative: Bill Sterud, Sr., Chairman, 253-573-7835

Primary Contact: Brandon Reynon, Tribal Archaeologist/Cultural Regulatory Specialist, 253-573-7986

#### **Washington Department of Archaeology and Historic Preservation**

PO Box 48343, Olympia, Washington 98504-8343

Lead Representative: Allyson Brooks, State Historic Preservation Officer, 360-586-3066

Primary Contact: Gretchen Kaehler, Local Government Archaeologist, 360-586-3088

#### **U.S. Army Corps of Engineers, Seattle District**

Primary Contacts (regular business hours/days):

Regulatory Branch, Archeologist, Chris Jenkins, 206-764-6941

Regulatory Branch, Section Chief, Regulatory Branch, Jacalen Printz, 206-764-6901

Non-business hours/days:

Regulatory Branch Chief, Muffy Walker, 206-200-9954

#### **Tacoma Police Department**

3701 South Pine Street, Tacoma, WA 98409

Lead Representative: Don Ramsdell, Chief of Police, 253-591-5900

#### **Pierce County Medical Examiner's Office**

3619 Pacific Avenue, Tacoma, Washington 98418

Lead Representative: Thomas Clark, M.D., Chief Medical Examiner, 253-798-6494

#### **City of Tacoma Historic Preservation Office**

747 Market Street

Tacoma, WA 98402-3793

Primary Contact: Reuben McKnight, 253-591-5354